


**SUBDIVISION APPROVING AUTHORITY ITEM
PLANNING AND DEVELOPMENT REPORT TO COUNCIL
SUBDIVISION APPROVAL
June 5, 2024
To be heard at: 1:30 PM**

PUBLIC MEETING REGARDING SUBDIVISION		
APPLICATION INFORMATION	File No. F2028-22NW	
	LEGAL DESCRIPTION: Plan 402LK, Block 1, PTN: NW 22-20-28-W4M	
	LANDOWNERS: Robert and Wendy Laird	
	AGENT: Township Planning and Design Inc. / Kristi Beunder	
	AREA OF SUBJECT LANDS: 26.27 acres	
	CURRENT LAND USE: Country Residential District	
	PROPOSED LAND USE: Country Residential District	
PROPOSAL: Subdivision of one 5.0 +/- acre Country Residential District lot with a 20.30 +/- acre Country Residential District balance parcel. With 0.97 +/- acres surveyed out of the balance parcel for future service road as requested by Alberta Transportation and Economic Corridors.		
DIVISION NO: 1	COUNCILLOR: Rob Siewert	FILE MANAGER: Theresa Chipchase

EXECUTIVE SUMMARY

Summary of Proposal

The applicants are requesting the Subdivision Approving Authority consider the subdivision of one 5.0 +/- acre Country Residential District lot with a 20.30 +/- acre Country Residential District balance parcel with 0.97 +/- acres to be surveyed out as future Service Road, from Plan 402LK, Block 1, Ptn. NW 22-20-28-W4M.

On March 27th, 2024, the County's Subdivision Approving Authority was provided with a request for subdivision approval for the above proposal, in connection with Bylaw 99/96, which granted third reading to redesignation of the property from Rural Holdings 20 to Rural Holdings 5 on May 21st, 1998, and later rezoned the lands to the Country Residential District under Land Use Bylaw 1/99.

The request for the subdivision approval was postponed on March 27th, 2024, with the Subdivision Approving Authority requiring the proposal to be scheduled for presentation at a non-statutory public meeting, which is the subject of this staff report.

Location

The property is located directly south of Highway 547 and directly east of 128th Street East. Approximately 4.8 kilometres east of Highway 2 and 8.0 kilometres east of the Town of Okotoks (as the crow flies).

Access

Access to the new 5.0 +/- acre parcel is proposed to be provided with the construction of a direct approach from Highway 547, with the dedication of a 30m x 132.21m (0.97 acre) area to be surveyed out as future service road. The service road dedication is to be located between the proposed west boundary of the new lot and the proposed east boundary of the balance parcel. The balance parcel would retain access from its current location on 128th Street East, on the west side of the property.

Alberta Transportation and Economic Corridors (ATEC) has agreed to allow direct access to the new lot from Highway 547, with the caveat, that the landowner is to provide service road dedication (as shown within the sketch plan attached as Appendix D) and is to remove the existing direct access to the highway, which is currently located on the north boundary of the property, east of the intersection of 128th Street East and Highway 54. Further ATEC will require a roadside development permit be obtained for the new access location.

ATEC has also provided that the service road location as proposed by the applicant is satisfactory to their department and that construction of the service road is not required at this time. ATEC has further provided that service road construction in the future can be developed to the satisfaction of the County. The County's public works department has agreed that construction of the service road is not necessary at this time.

ATEC's comments and a diagram of their requirements are attached as Appendix D and the County's public works department's comments are provided within the Circulation Referral section of this staff report, both have also been provided to the applicant's agent.

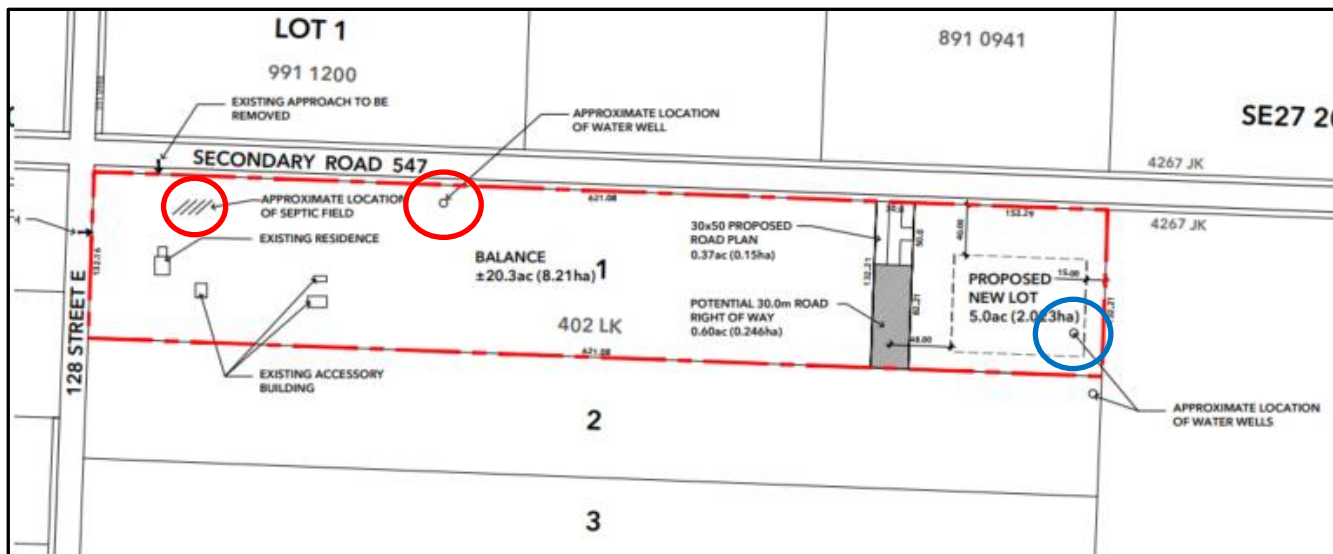
NOTE: The location of the service road dedication was originally planned to be provided along the east boundary of the lot in keeping with a Community Concept Plan (Site Plan) provided for the quarter in 1996. The applicant's chose to shift the service road dedication to the west in order to avoid a water well along the east boundary that is to be utilized to service the proposed 5.0 +/- acre lot, as well as being mindful of an additional well on the east boundary of the property directly south of the applicant, while still providing the service road dedication as identified within the Concept Plan.

Pertinent Site Considerations

The parcel is flat to slightly rolling, native grassland terrain with a yard site located near the western end. The yard site consists of a residence, and three small accessory buildings, as well as including a septic tank and field, north of the residence, and a water well located near the extreme north boundary. An additional water well is located along the east boundary of the property in the southeast corner. Extensive rows of mature shelterbelt trees surround the yard site on all sides, with a small grove of trees along the eastern boundary. Seasonal drainage is also present along the far eastern boundary and west of a small grove or trees along the north boundary. The drainage runs through the parcel from north to south.

Water and Wastewater

The existing water well and septic field for the applicant's residence are in close proximity to the north boundary of the property as shown on the site plan below circled in **red**, with a second water well located in the southeast corner, as shown below on the site plan circled in **blue**. This second well is proposed to be utilized by the new lot.



Reserve Dedication

Municipal Reserve

Reserves have not been provided for the parent parcel with a deferred reserve caveat registered on the lands under the Calgary Regional Planning Commission in 1971.

The Subdivision Approving Authority may therefore wish to consider the following with regards to the provision of reserves:

Reserves to be provided by cash in lieu of land for the proposed 5.0 +/- acre parcel and to be deferred by caveat for the 20.30 +/- acre balance parcel, in accordance with Sections 666(1) and (2) of the Municipal Government Act and the County's Public Reserve Policy adopted April 18/1996.

Policy Evaluation

Reviewed within the terms of the Municipal Development Plan 2010, Growth Management Strategy, and the Land Use Bylaw.

Referral Considerations

Referred to required Provincial and Municipal bodies as well as all utilities.

PURPOSE OF APPLICATION

The Subdivision Approving Authority has received an application requesting approval of the subdivision of one 5.0 +/- acre Country Residential District lot with a 20.30 +/- acre Country Residential District balance parcel and 0.97 +/- acres surveyed out as future Service Road, from Plan 402LK, Block 1, Ptn. NW 22-20-28-W4M.

QUARTER SECTION HISTORY

1970's – the quarter section was split into 20 +/- acre parcels over time, by the Calgary Regional Planning Commission, all parcels subdivided included deferred reserve caveats or payment of reserves.

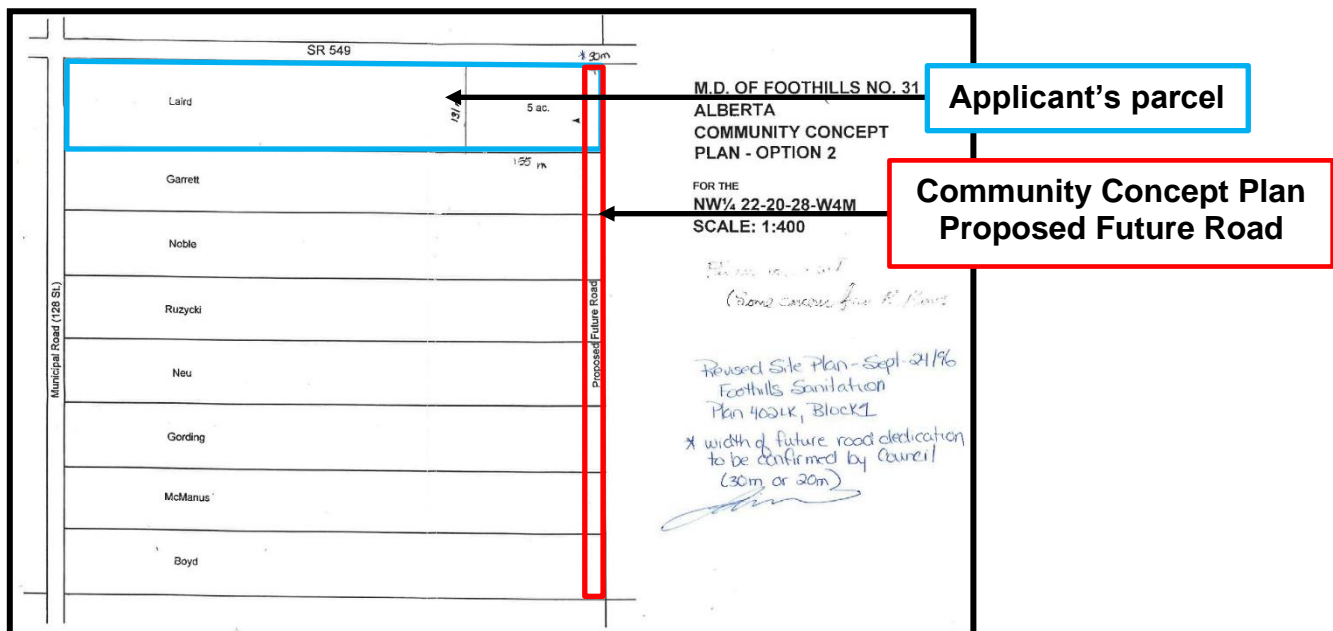
1995 – (Plan 402LK, Block 1, Ptn. N.W. 22-20-28-W4M) application was submitted for one 5.0 acre Rural Holdings 5 District parcel from the 26.27-acre Rural Holdings 20 District parcel. Council tabled the application under the following motion:

“Council discussed the issue of subdivision in this area and have concluded that in order to successfully complete these subdivisions it will be necessary for the community as a whole to initiate a community meeting in order to consider the feasibility of both an overall concept design and a water study to address both the needs of the landowners and the future development in the area.”

NOTE: the landowners of the 1995 proposal, as described above, are the same landowners under the proposal for subdivision within the application provided within this staff report.

September 12th, 1996 – The Community came back to Council with options for a Community Concept Plan. The Community Concept consists solely of the site plan shown below and has no additional supporting documentation. Council accepted the site plan under the following motion:

“Moved that Council accept Option 2 for the Community Concept Plan in N.W. 22-20-28-W4M where a proposed future road system is dedicated along the East boundary of the entire quarter section with the understanding that each application would be dealt with on a site-specific basis.



APPLICANTS PARCEL HISTORY

September 12th, 1996 - Bylaw 99/96 was granted first reading under the following motion:

“Bylaw 99/96 was introduced into the meeting to authorize the redesignation of Plan 402LK, Block 1, in N.W. 22-20-28-W4M from Rural Holding 20 District to Rural Holding 5 District in order to permit the future subdivision of one additional lot. The landowners will now be required to submit a redesign identifying the road dedication along the East boundary.”

Further to the above, the applicants were required to provide the final lot fee of \$300.00 as well as providing adequate water supply for the proposed new parcel by drilling a well and submitting a Q20 report with a site plan to be provided showing the exact location of the well on the parcel.

May 21st, 1998 – Second and third reading were granted to Bylaw 99/96, as all conditions of the redesignation application had been met.

June 25th, 1998 – Subdivision of the 5 acre Rural Holdings 5 District parcel was approved by the Subdivision Approving Authority with the following conditions:

1. Subdivision to be effected by Plan of Survey or by such other means as satisfactory to the Alberta Land Titles Office, Calgary
2. access to be located and culverts and approaches to be installed at the landowners' expense to M.D. subdivision road standards;
3. the landowners are required to enter into a Development Agreement regarding a road development levy (the amount in 1998 was \$5000.00)
4. Public Reserve: to be by way of cash in lieu of land based on \$4,500.00 per acre on account of 10% of the proposed new parcel and to be deferred by Caveat on the balance;
5. Requirement for 30 metres of road dedication along the East boundary of the existing parcel;
6. Utility easements and agreements to be provided and registered to the satisfaction of the M.D. and the utility companies;
7. Current and arrears of taxes on the existing parcel to be paid prior to finalization of the subdivision;
8. And furthermore; it is the applicants' responsibility to ensure that the site plan is surveyed according to municipal requirements.

NOTE: The applicant had until June 25th, 1999, to complete the above listed conditions.

June 25th, 1999 – the applicant provided the municipality with a time extension request, along with the required \$250.00 time extension request fee.

July 8th, 1999 – Council granted a one-year time extension to the subdivision approval giving the applicant until June 25th, 2000, to complete the conditions of the subdivision approval.

June 25th, 2000 – the subdivision expired, with the conditions of the approval not met.

September 30th, 1999 - Land Use Bylaw 566 was replaced with Land Use Bylaw 1/99 whereby the Rural Holdings Districts were replaced by the Agricultural and Country Residential Districts. Although the lands were 26.27 acres in size, the applicant's property was rezoned to the Country Residential District under this Land Use Bylaw change.

April 19th, 2017 – the applicants requested a second time extension from Council, with no time extension fee provided. The request was denied under the following motion:

“Council moved that they do not support a time extension as requested to complete all conditions of subdivision as originally set forth on June 25, 1998.”

March 27th, 2024 – the applicants requested subdivision approval for one 5.0 +/- acre lot with a 0.97 acres surveyed out as Road Plan and a 20.30 +/- acre balance parcel. The decision on the subdivision was postponed by Council under the following motion:

“Moved that Council postpone a decision on the subdivision application, which requests approval of one (1) 5.0 +/- acre Country Residential District lot with a 20.30 +/- acre Country

Residential District balance parcel and 0.97 +/- acres to be surveyed out as future Service Road from Plan 402LK, Block 1; Ptn: NW 22-20-28-W4M, until such time as a non-statutory public meeting has been undertaken.”

CURRENT LAND USES

Subject Parcel

Country Residential District

Adjacent Lands

Country Residential District

Agricultural District

Area Character

The area contains a large pocket of country residential development surrounded by agriculturally zoned properties. The area is in close proximity to the Town of Okotoks as well as Highway 547 and Highway 2 providing easy access to the neighboring urban centers of High River and Calgary.

POLICY EVALUATION

Municipal Development Plan (MDP2010)

Policies 1, 3, 9 and 11 of the Residential section of the MDP2010 provide that to consider the proposal to be developable by the Subdivision Authority, residential parcels should be compatible with the surrounding area and existing uses. Further recognizing that the design and infrastructure of residential development should consider density, the functional linkage to adjoining lands, the efficient use of land, the environmental impact, the cumulative effects of development, the suitability of the lands for residential use and the conservation of water.

Land Use Bylaw

Should the subdivision application be approved, the proposed lot and balance parcel would meet the lot size restrictions and density provisions as set out in Section 13.1.6.2 of the Country Residential District within the municipality's Land Use Bylaw.

Growth Management Strategy

The subject parcel is located within the East District as noted within Foothills County's Growth Management Strategy. The vision for the East District is that agriculture will continue to be the dominant land use with residential, commercial and industrial development supported within the Hamlet of Blackie.

CIRCULATION REFERRALS

REFEREE	COMMENTS
INTERNAL	
Public Works	Public Works provides the following recommendations for the new 5.0 +/- acre parcel, should the Subdivision be approved: <ul style="list-style-type: none">• Septic Disposal Evaluation• Lot Grading Plan / Drainage Plan• Building Envelopes

CIRCULATION REFERRALS

	<p>Public Works provides the following recommendations for the 20.30 +/- acre balance parcel, should the Subdivision be approved:</p> <ul style="list-style-type: none"> • 5 meters road widening adjacent to the east boundary of 128th Street East <p>Public Works also provides the following additional comments:</p> <p>The relocation of the proposed Right of Way ensures that the water well along the east boundary of the property is out of the road right of way, as well as preventing the right of way from being within a drainage area.</p> <p>Ideally, an approach constructed directly across from an approach to the north would be preferred instead of service road construction, however this is Alberta Transportation's jurisdiction and would need to be approved by their department.</p> <p>Alberta Transportation is to provide comment on approaches adjacent to Highway 547.</p>
GIS/Mapping	No concerns
EXTERNAL	
TELUS	No concerns
FortisAlberta	No easement required.
Sunshine Gas Co-op	No concerns
Alberta Transportation and Economic Corridors (ATEC)	<p>ATEC will allow the service road access location as proposed by the applicant on the caveat that the service road south of the access be surveyed out and that the existing at grade agricultural access to the west be removed.</p> <p>The new service road access must be built to ATEC standards, and a Roadside Development permit must also be obtained from their department.</p> <p>The service road dedication south of the new access is not required to be developed at this time but is to be surveyed out of the landowner's title.</p> <p>Please see full response from ATEC attached as Appendix D.</p>
PUBLIC	
Landowners (Adjacent)	No letters received prior to submission of this staff report.

SUMMARY

Requesting approval from the Subdivision Approving Authority for the application which proposes to subdivide one 5.0 +/- acre Country Residential District lot with a 20.30 +/- acre Country Residential District balance parcel with 0.97 +/- acres to be surveyed out as future Service Road, from Plan 402LK, Block 1, Ptn. NW 22-20-28-W4M.

OPTIONS FOR THE SUBDIVISION APPROVING AUTHORITY'S CONSIDERATION

OPTION #1 – APPROVAL

The Subdivision Approving Authority may choose to approve the subdivision of one (1) 5.0 +/- acre Country Residential District lot with a 20.30 +/- acre Country Residential District balance parcel and 0.97 +/- acres to be surveyed out as future Service Road, from Plan 402LK, Block 1, PTN: NW 22-20-28-W4M.

The Subdivision has been evaluated in terms of Section 654 of the Municipal Government Act and Sections 9 and 20 of the Matters Related to Subdivision and Development Regulation and therefore the application is approved as per the tentative plan for the following reasons:

- The application is consistent with Section 9 of the Matters Related to Subdivision and Development Regulation;
- Pursuant to Section 20(1) of the Regulation, written approval was received by the Minister of Transportation allowing the Subdivision Authority to grant a variance to Section 18 and allowing Section 19 of the Regulation to be met through the provision of a 30 meter wide service road by Plan of Survey along with removal of the existing Highway 547 approach, located approximately 50 meters east of the intersection of 128th Street East.
- The subject lands have the appropriate land use designations

In consideration of the criteria noted in Residential Policy of the MDP2010, the Subdivision Authority is of the opinion that the lands are suitable for the intended use and further that the application falls within the density provisions and lot size restrictions within the County's Land Use Bylaw.

Further, in accordance with Sections 654 and 655 of the Municipal Government Act, the application is approved subject to the following conditions:

1. Subdivision to be effected by Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such other means satisfactory to the Registrar of the South Alberta Land Titles District;
2. It is the applicant's responsibility to provide a Real Property Report or an 'as built' drawing signed and sealed by an Alberta Land Surveyor, certifying the location of the adjacent municipal road(s), septic tank and field and water well(s) within the boundaries of the appropriate properties and that the site plan is surveyed according to municipal setback requirements;
3. Applicant to fully execute and comply with all requirements as outlined within a Development Agreement for the purposes of drainage, grading, and payment of the community sustainability fee and any other necessary municipal and on-site improvements as required by Council and/or the Public Works department;
4. Service road dedication, with respect to an area of the subject parcel measuring approximately 132.21 meters in length by 30 meters in width (0.97 acres), as illustrated on the applicant's site plan, is to be surveyed out, to the satisfaction of Alberta Transportation and Economic Corridors;
5. Landowner is to provide payment of the \$11,300.00 Community Sustainability Fee with respect to the new 5.0 +/- acre proposed lot;
6. Public Reserve: to be provided by cash in lieu of land based on \$21,179.00 per acre, on account of 10% of the proposed 5.0 +/- acre Country Residential District lot, and deferred by caveat on the 20.90 +/- acre Country Residential District balance parcel;

7. Proof of adequate water supply is to be provided in accordance with the Provincial Water Act, to the satisfaction of the County;
8. Septic disposal evaluation to be provided for both the proposed 5.0 +/- acre lot and the 20.30 +/- acre balance parcel, in accordance with Part 2, Section 6(4)(b) of the Matters Related to Subdivision and Development Regulation, to the satisfaction of the Public Works department;
9. Site plan to be provided which identifies building envelopes, for the proposed 5.0 +/- acre lot, which meet the requirements as outlined in Policy 9 under the Residential section of the MDP2010 to the satisfaction of the Public Works department;
10. Lot grading/Drainage plan to be provided for the subject lands, to the satisfaction of the Public Works department;
11. Road acquisition agreement for the purpose of future road widening to be executed by the landowners and registered by caveat, concurrent with the Plan of Survey, with respect to an area of land 5.17 metres in width parallel to the full west boundary of the subject parcel (128th St. E), to the satisfaction of the Public Works department;
12. All access provided from 128th Street East is to be located and culverts and approaches to be installed to current Municipal subdivision road construction standards, to the satisfaction of the Public Works department;
13. All access provided from Highway 547 is to be located and constructed or removed, to the satisfaction of Alberta Transportation and Economic Corridors;
14. Landowner is to provide all utility right of way agreements, easements, licenses and installation, to the satisfaction of the County and the utility companies;
15. Landowners are to pay all arrears of taxes on the existing parcel prior to finalization of the subdivision; and
16. Submission of subdivision endorsement fees.

OPTION #3 - REFUSAL

The Subdivision Approving Authority may choose to refuse the subdivision of one (1), 5.0 +/- acre Country Residential District lot with a 20.30 +/- acre Country Residential District balance parcel and 0.97 +/- acres to be surveyed out as future Service Road from Plan 402LK, Block 1, PTN: NW 22-20-28-W4M, for the following reasons:

In consideration of the criteria noted in the Residential Policy of the MDP2010, Council is of the opinion that the application does not adequately address the intent of the policy with respect to the cumulative effects of the development, the efficient use of the land and the suitability of the lands for future development.

Further in consideration of Policies 1 and 11 within the Residential section of the MDP2010, Council is of the opinion that the application does not adequately demonstrate an appropriate linkage to municipal infrastructure, specifically with respect to access to a Municipal Roadway.

APPENDICES

APPENDIX A: MAP SET:

LOCATION MAP

HALF MILE MAP – LAND USE

HALF MILE - PARCEL SIZES

SITE PLAN

ORTHO PHOTO

APPENDIX B:

1999 LAND USE REDESIGNATION BYLAW

APPENDIX C:

PROPOSAL SUBMITTED BY AGENT ON BEHALF OF LANDOWNERS

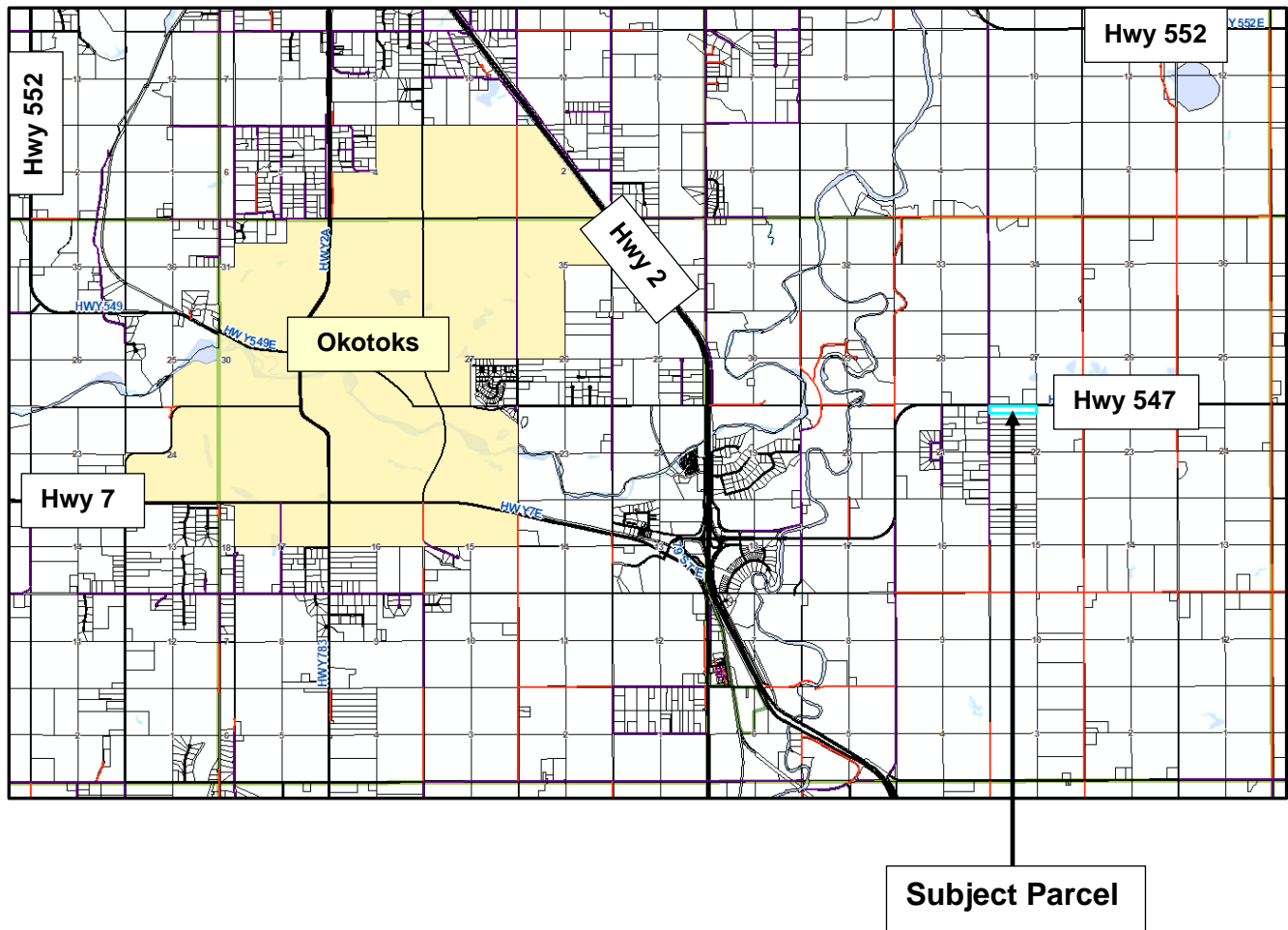
APPENDIX D:

ALBERTA TRANSPORTATION AND ECONOMIC CORRIDORS LETTER AND DIAGRAM

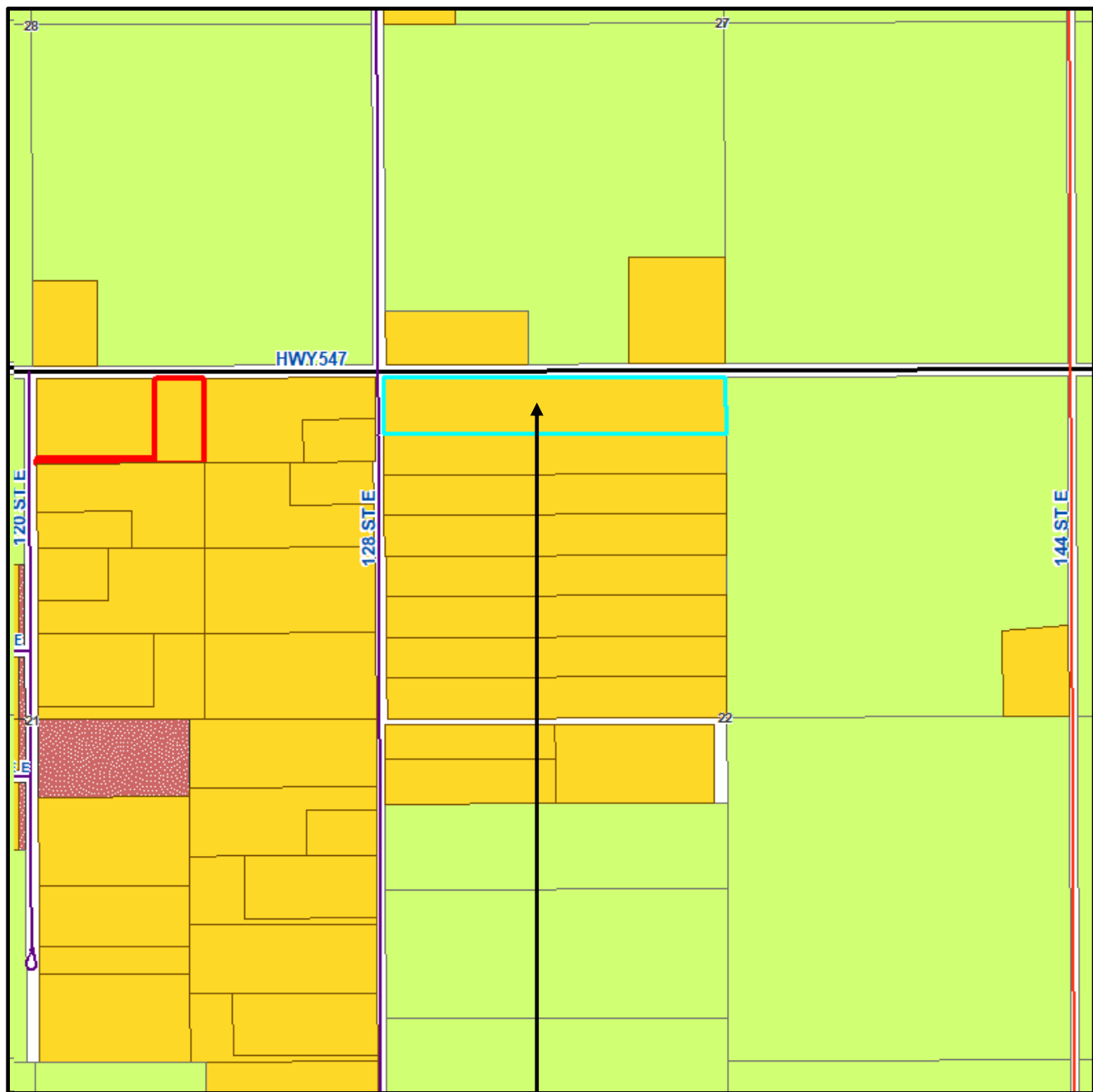
APPENDIX E:

PUBLIC RESERVE AMOUNT FOR SUBDIVISION

APPENDIX A: LOCATION MAP



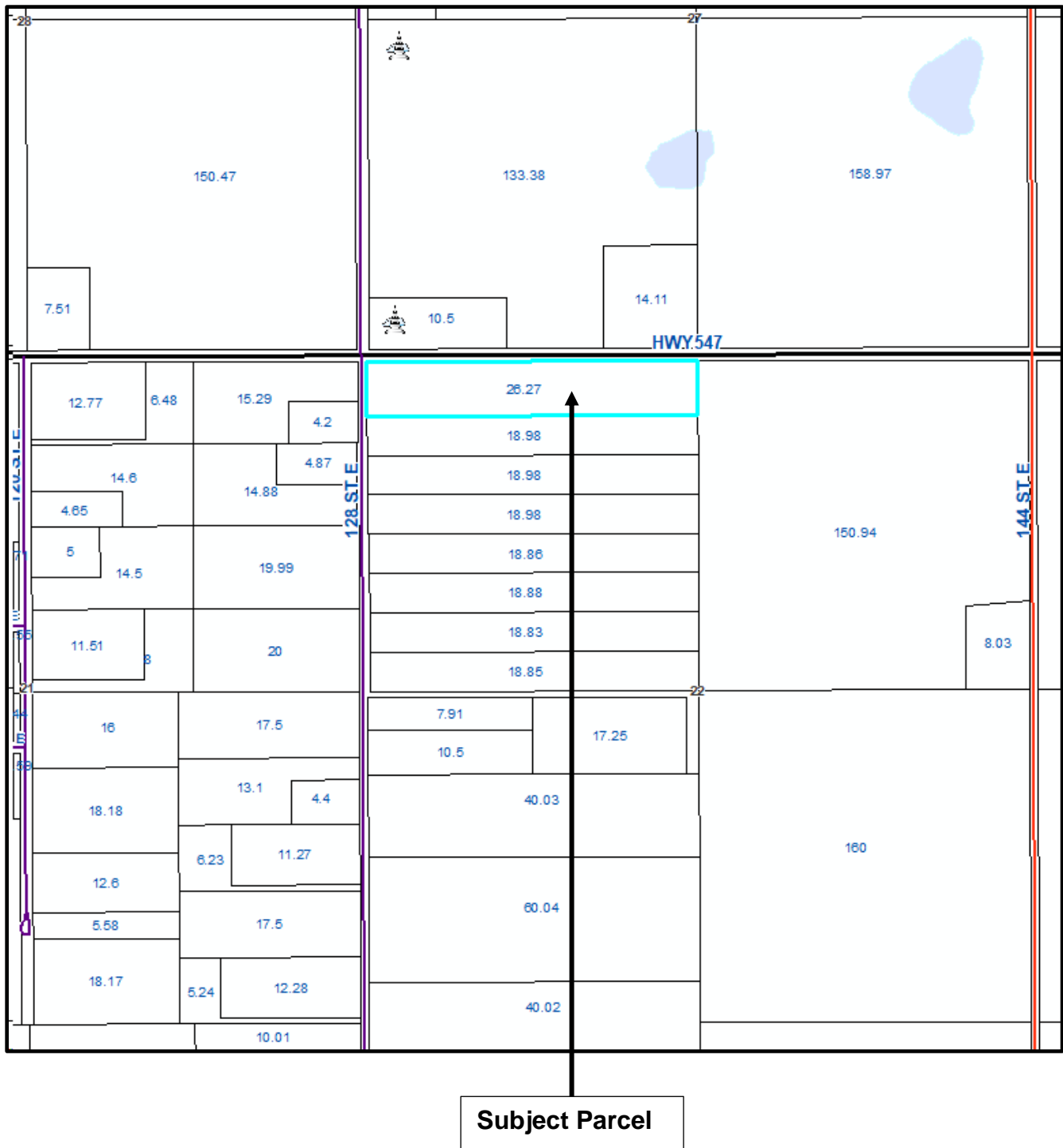
APPENDIX A: HALF MILE MAP – LAND USE



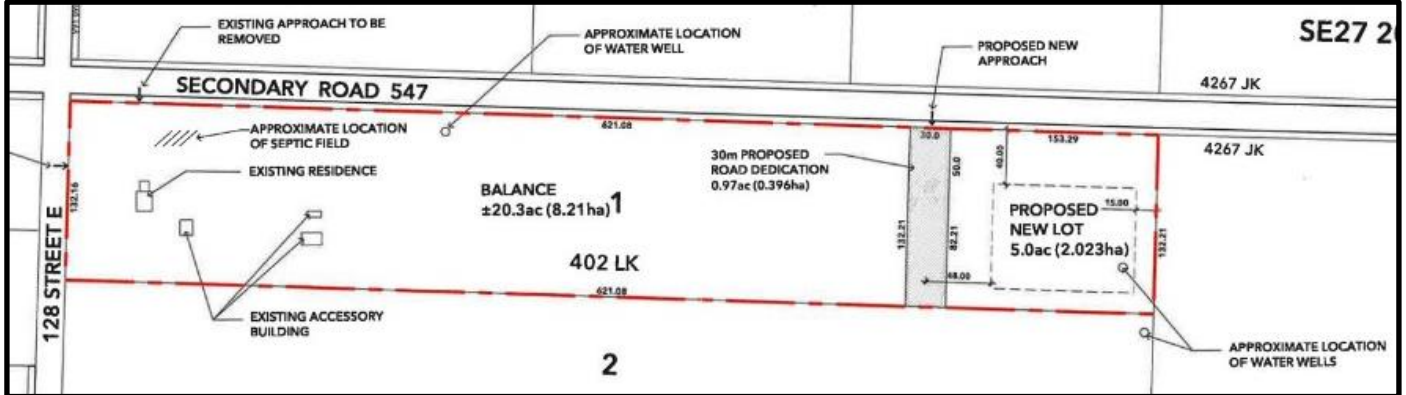
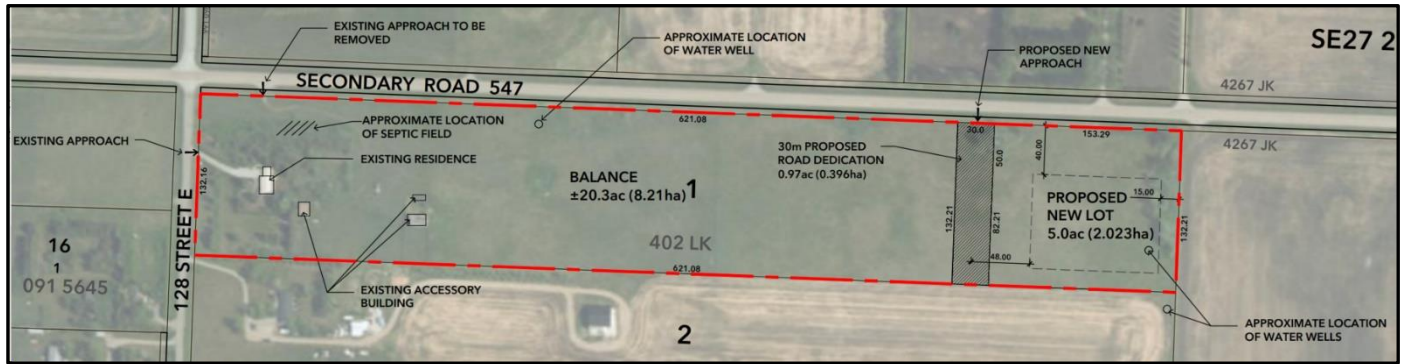
Legend

- | | | |
|------------------------------------|----------------------------------|-------------------------------------|
| — Hard Surface (Chip/oil) | CR- Country Residential | MR- Municipal Reserve |
| — Gravel | CRA- Country Residential Sub A | MLR-Municipal Land/Reserve District |
| --- Developer Pavement | DC - Direct Control | |
| — Pavement | BP- Bussiness Park | |
| — Flood Hazard Protection District | RB- Rural Business | |
| — In Transition | INR- Natural Resource Extraction | |
| A- Agricultural | EP- Environmental Protection | |
| AA- Agricultural Sub A | ER- Environmental Reserve | |

APPENDIX A: HALF MILE MAP – LOT SIZES



APPENDIX A: SITE PLANS



APPENDIX A: ORTHO PHOTO



BYLAW 99/96

**BEING A BYLAW OF THE MUNICIPAL DISTRICT OF
FOOTHILLS NO. 31 TO AUTHORIZE AN AMENDMENT TO THE
LAND USE BYLAW NO. 566 AS AMENDED**

WHEREAS pursuant to the provisions of the Municipal Government Act, Chapter M-26.1, 1994, and amendments thereto, the Council of the Municipal District of Foothills No. 31 in the Province of Alberta, has adopted Land Use Bylaw No. 566 and amendments up to and including those passed on October 15, 1992, all of which are contained in the Consolidated Land Use Bylaw No. 566,

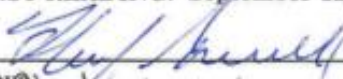
AND WHEREAS the Council has further passed amending Bylaw No. 57/95, 53/94, 138/93, 899, 33/95, 35/95, 17/95, 117/94, 76/95, 80/95, 78/95, 12/95, 84/95, 119/94, 55/95, 76/94, 47/95, 73/95, 13/95, 63/95, 103A/94, 99/95, 66/94, 32/95, 44/95, 60/95, 64/95, 69/95, 105/95, 56/95, 116/95, 112/95, 92/95, 25/95, 79/95, 115/95, 124/94, 129/94, 45/95, 139/95, 128/95, 24/95, 37/94, 103/95, 148/95, 77/95, 109/95, 85/95, 145/93, 91/95, 110/95, 111/95, 104/92, 75/95, 23/95, 50/95, 102/94, 96/95, 157/95, 3/95, 98/95, 166/95, 170/95, 152/95, 31/95, 115/93, 106/95, 175/95, 169/95, 149/93, 173/95, 129/95, 17/96, 174/95, 18/95, 29/96, 72/95, 107/95, 87/94, 125/95, 12/96, 24/96, 26/96, 15/95, 113/95, 25/96, 154/95, 40/94, 37/96, 168/95, 123/95, 45/96, 106/94, 16/96, 156/95, 39/95, 28/96, 176/95, 52/93, 24/93, 39/96, 8/94, 46/95, 31/96, 68/96, 76/96, 33/96, 75/96, 139/93, 177/95, 115/94

AND WHEREAS the Council has received an application to further amend the Land Use Bylaw by redesignating Plan 402LK Block 1 in N.W. 22-20-28 W4 from Rural Holding 20 District to Rural Holding 5 District in order to permit the future subdivision of one additional parcel.


NOW THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

1. Land Use Map No. 21 is amended by redesignating Plan 402LK Block 1 in N.W. 22 as Rural Holding 5 District.
2. Upon registration at Land Titles Office, Calgary, of additional parcel, the balance of the lands shall be designated as Agricultural Balance District.
3. This Bylaw shall have effect on the date of its third reading.

FIRST READING: September 12, 1996

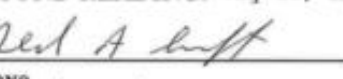


Reeve



Municipal Manager

SECOND READING: May 21, 1998

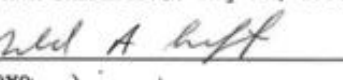


Reeve




Municipal Manager

THIRD READING: May 21, 1998



Reeve



Municipal Manager

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta
this 21 day of May 1998 ~~1996~~

321-259 Midpark Way SE | Phone: 403.880.8921
Calgary, AB T2X 1M2 | TWPplanning.com



Foothills County
Box 5605
High River, AB
T1V 1M7

02/06/23

ATTN: Samantha Payne, Planning Coordinator

RE: Application for Subdivision to allow for the creation of one (1) new CR parcel (+/- 5.00 ac) for land legally described as Plan 402LK, Block 1 NW 22-20-28 W4M (+/- 26.27 ac) in Foothills County.
Landowners: Robert and Wendy Laird

Dear Mrs. Payne,

Please find enclosed the following in support of the above-mentioned Subdivision Application:

- The formal application for Subdivision to allow for the creation of one (1) new CR lot;
- The Letter of Authorization allowing Township Planning + Design Inc. to Act as agent for the landowners;
- A credit card authorization for the subdivision fee of \$3000.00 (\$100 filing fee + \$2000 Appeal fee + \$900 application fee);
- A copy of the abandoned well map and declaration, showing no abandoned wells in the immediate vicinity; and
- A copy of the current Certificate of Title; and
- A copy of the site plan with and without air photo.

To assist the Planning Department with the evaluation of this application we offer the following:

The subject parcel to be subdivided follows along highway 547 and consists of +/- 5.0 acres of the eastern most portion of the subject site. The subject parcel contains a robust tree buffer on the east portion of the site. We have worked closely with ATEC to plan access to this site from Highway 547. Originally, we had planned a road dedication on the east site. However, there are two functioning water wells close to, and within, the road dedication area on the east, as such, that location is undevelopable for a future road extension. ATEC suggested a mid-block approach and dedication to the south to facilitate future development and fragmentation of this row of parcels which maintains access along 547 in a meaningful way for ATEC. The water well supporting this lot, would have fallen within the potential 30m future road dedication if it were proposed along the east boundary. Additionally, the neighbor to the immediate south has a water well directly within the NE corner of his property and it would be right in the middle of a potential future road dedication should this acquisition have been required. We are grateful to ATEC for meeting us with a solution that everyone was pleased with.

Previously, this parcel was subject to, and completed, a redesignation to RH-5 and a water well was drilled on the site in support of the parcel in support of that application.

The landowners had previously applied for a subdivision of this parcel that was approved on June 25, 1998. The application reflected the intention of this application being re-submitted, however the conditions of approval were not met during the allowable time period.

Following discussion with Planning Administration, the landowners agree to:

- Provide a current pump test and hydrology report associated with the water well that is installed on-site;
- Provide payment of the Community Sustainability Fee;
- Provide payment of Cash-in-lieu of Public Reserve on the new parcel as set by the County; and
- Provide a Private Septic Treatment System test, and Storm Water Management Plan and Engineered building envelope to be provided for the proposed +/- 5.0 acre parcel, prepared by a professional engineer to the satisfaction of the Public Works Department.

Should you have any questions or concerns, please do not hesitate to contact the undersigned.

Sincerely,

Township Planning + Design Inc.



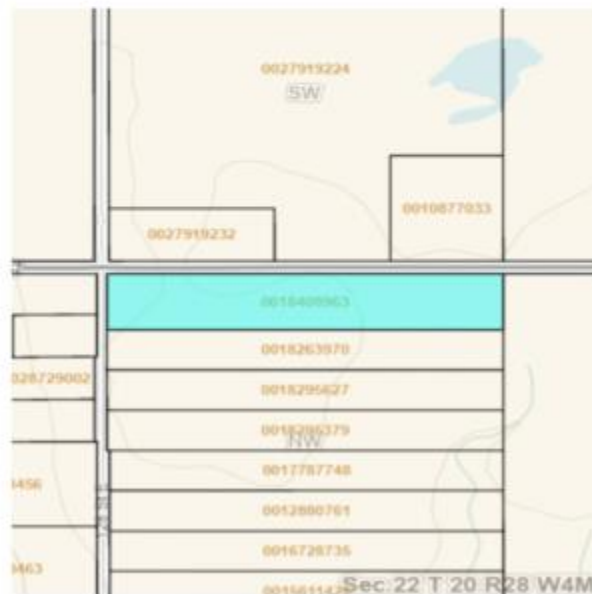
Kristi Beunder, B.A., M.E.Des.
RPP MCIP
Senior Planner / Principal
Urban + Regional Planning

Cc: *Robert and Wendy Laird – Landowners*

Transportation and Economic Corridors Notification of Referral Decision

Subdivision in Proximity of a Provincial Highway

Municipality File Number:	F2028-22NW	Highway(s):	547
Legal Land Location:	QS-NW SEC-22 TWP-020 RGE-28 MER-4	Municipality:	Foothills County
Decision By:	Evan Neilsen	Issuing Office:	Southern Region / Calgary
Issued Date:	2023-07-13 16:22:01	Appeal Authority:	Land and Property Rights Tribunal
RPATH Number:	RPATH0036352		
Description of Development:	1 X +/- 5.0 acre CR parcel		



This will acknowledge receipt of your circulation regarding the above noted proposal. The subsequent subdivision application would be subject to the requirements of Sections 18 and 19 of the Matters Related to

Subdivision and Development Regulation (The Regulation), due to the proximity of Highway(s) 547

Transportation and Economic Corridors offers the following comments with respect to this application:

The requirements of Section 18 of the Regulation are not met. The department does have concerns with the proposed highway access to the proposed new lot. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 18 of the Regulation.

The requirements of Section 19 of the Regulation are not met. To ensure future access management requirements are met a service road is required. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 19 of the Regulation.

The required service road shall be a minimum of 30.00 m in width, with the length running parallel to the width of the parcel.

Transportation and Economic Corridors has the following additional comments and/or requirements with respect to this proposal:

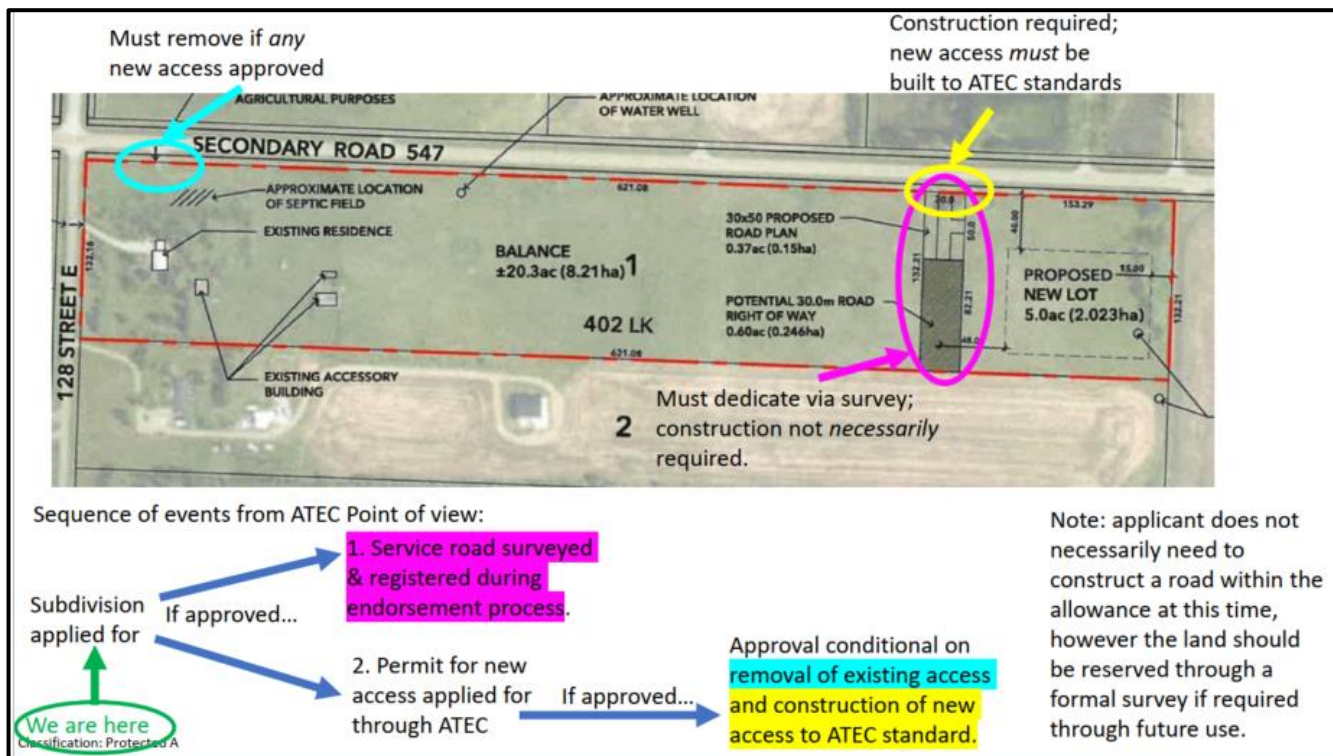
1. The department expects that the municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, pursuant to Policy 7 of the Provincial Land Use Policies and Section 618.4 of the Municipal Government Act
2. The subdivision proponent is hereby advised that any future permit requesting access to Highway 547 will require as a condition the removal of the existing agricultural access approximately 50.0 m east from the intersection of Highway 547 and 128 St E.
3. The proponent is advised that any future access to Highway 547 must be developed to Alberta Transportation and Economic Corridors Standards, which may include the installation of a culvert and paving.
4. Transportation and Economic Corridors accepts no responsibility for the effects of noise on adjacent development. Furthermore, the responsibility for mitigating the effects of noise, light, and pollutants on the provincial highway system are the responsibility of the developer and the municipality.
5. Alberta Transportation expects that the municipality will mitigate the cumulative impacts of traffic generated by developments approved on the local road connection to the highway system, pursuant to the South Saskatchewan Regional Plan and Section 648(2)(c.2) of the Municipal Government Act.
6. The subject land is within the permit area of a highway as outlined in the Highways Development and Protection Regulation. Proposed development on the subject will require the benefit of a Roadside Development Permit from Alberta Transportation.

Please contact Transportation and Economic Corridors through the [RPATH Portal](#) if you have any questions, or require additional information.



Issued by **Evan Neilsen, Development and Planning Tech**, on **2023-07-13 16:22:01** on behalf of the Minister of Transportation and Economic Corridors pursuant to *Ministerial Order 52/20 – Department of Transportation and Economic Corridors Delegation of Authority*

APPENDIX D: ALBERTA TRANSPORTATION AND ECONOMIC CORRIDORS LETTER



APPENDIX E: PUBLIC RESERVE AMOUNT FOR SUBDIVISION

INTEROFFICE MEMORANDUM

DATE: July 23 2023

TO: Planning Department

FROM: Julie Sills

3.00 Public Reserve Amount For Subdivision

File No: F2028-22NW
 Legal: NW 22-20-28 W4
 Subject: Robert and Wendy Laird
 Parcel Size: 26.27 acres
 Mkt Zone: 6
 Trees: Lots mature trees
 Views: Part mountain view
 River/Creek:

CONCLUSION

Based on the following sales, the fair market value for a 26.27 acre parcel in this area is : \$21,179 per acre.

Sale	Mz	Qr	Sec	Twp	Rge	M	Sale Date	Acres	Sale Price	Time Adj	Time Adj Sale Price	Loc Adj	Size Adj	Trees Adj	View Adj	River/Creek Adj	Final Adjusted Sale Price	Indicated Price Per Acre For 26.27 Acs
1	6	SW	09	21	28	4	Sep-22	23.48	\$900,000	1.06	\$954,000	1.00	1.03		-116553		\$866,067	\$32,968
2	19	NE	20	19	02	5	Jun-21	13.91	\$250,000	1.19	\$297,500	1.06	1.24				\$391,034	\$14,885
3	16	NW	01	21	04	5	Oct-20	27.54	\$425,000	1.25	\$531,250	0.96	0.99	-30000			\$474,900	\$18,078
4	23	NW	06	20	01	5	Mar-23	22.00	\$758,000	1.00	\$758,000	0.95	1.04	-30000	-114843		\$604,061	\$22,994
5	2	NE	22	21	03	5	Apr-22	20.12	\$875,000	1.08	\$945,000	0.91	1.07	-50000	-111612		\$758,535	\$28,875
6	13	SW	03	20	03	5	Sep-20	29.41	\$390,000	1.29	\$503,100	0.96	0.97	-30000		-41137	\$397,350	\$15,126
7	13	SW	27	20	04	5	Sep-20	20.02	\$407,500	1.29	\$525,675	0.98	1.08				\$556,374	\$21,179