

Amendment to Conceptual Scheme for Pt. NW 7-51-22-W4 (Ward 6)

Owner/Applicant: Curt Beyer
Legal Description: NW 7-51-22-W4; Lot 1A, Plan 0120399
Location: South of Township Road 512, east of Highway 21

Report Purpose

To amend the Conceptual Scheme for Pt. NW 7-51-22-W4 to allow for the realignment of the proposed service road.

Recommendation

THAT the amended Conceptual Scheme for Pt. NW 7-51-22-W4, which allows for the realignment of the proposed service road, be approved.

Council History

May 22, 2007 – Council adopted Municipal Development Plan Bylaw 1-2007

September 23, 2014 – Council adopted the Conceptual Scheme for Pt. NW 7-51-22-W4

Strategic Plan Priority Areas

Economy: n/a

Governance: The Public Hearing provides Council with the opportunity to receive public input prior to making a decision on the proposed Conceptual Scheme amendment.

Social: n/a

Culture: n/a

Environment: The proposal meets the strategic priority to protect our environment and preserve biodiversity by alleviating the need for the Developer to construct a service road that crosses the Foley Drainage Ditch to service the proposed development.

Other Impacts

Policy: The subject parcel is located within the Agriculture Small Holdings Policy Area of Municipal Development Plan (MDP) Bylaw 1-2007. The amendment to the existing Conceptual Scheme was prepared in accordance with the Conceptual Scheme Policy SER-008-019.

Legislative/Legal: The *Municipal Government Act* and the Subdivision and Development Regulation provide Council the ability to adopt Conceptual Schemes.

Interdepartmental: The proposal has been circulated to internal County departments and external agencies. No objections were received.

Summary

The subject lands are located within the Agriculture Small Holdings Policy Area of the MDP. In accordance with MDP policy, a Conceptual Scheme was previously adopted on September 23, 2014, which currently provides a framework for subsequent subdivision, rezoning and/or development of the property based on conservation design principles.

Subsequent to the adoption of the Conceptual Scheme for the subject lands, a subdivision application was submitted by the landowner to the County which proposed to create three additional (four in total) residential lots and dedicate all required municipal and environmental reserves in accordance with the adopted Conceptual Scheme. The proposed subdivision also included the construction of a service road to provide access to the proposed lots from Township Road 512 as Alberta Transportation (AT) requires that the

existing direct access to NW 7-51-22-W4 from Highway 21 be closed at the time of subdivision.

As per the adopted Conceptual Scheme, the service road is currently contemplated to run parallel to Highway 21 along the west boundary of Lot, 1 Plan 0120399 and NW 7-51-22-W4. However, in circulating the subdivision application, a letter of objection was received from ATCO Pipelines as the proposed service road would run parallel to and within their pipeline right-of-way. The objection was as a result of a change in ATCO Pipelines' requirements since the time of the Conceptual Scheme's original adoption.

Through correspondence with AT, two alignment options for the proposed service road have been established, one of which is the realignment being proposed as part of this amendment and is illustrated in Figure 5 of Enclosure 5. This proposed realignment of the service road ensures that it is no longer within ATCO Pipelines' right-of-way and also eliminates the need for the developer to construct a structure to enable the service road to cross the Foley Drainage Ditch located on the subject property.

At the time of subdivision registration, the required land necessary to facilitate AT's future improvements to Highway 21 will need to be dedicated to AT. This dedication includes the land necessary to extend the proposed service road south in order to provide access to properties south of the plan area if required in the future.

In summary, the amendment to the Conceptual Scheme proposes to realign the proposed service road from the western boundary of the subject lands as currently contemplated in the adopted Conceptual Scheme to the eastern boundary of Lot 1A, Plan 0120399, which would provide access from Township Road 512 to all four proposed parcels as shown in Figure 5 of Enclosure 5. The proposed amendment results in a reduction of overall roadway infrastructure that addresses the concerns of ATCO Pipelines and reduces the impact upon the environment.

As part of the development of the proposed amendment the County was unable to obtain comments on the proposal from the titled landowner of adjacent Lot 2, Plan 0124725, despite numerous attempts to establish contact, including registered mail and conversations with the property's current occupants. Although unsuccessful, Administration is confident that it has made every attempt to provide a means for the adjacent landowner to provide comments on the proposed amendment. The Public Hearing has been advertised in accordance with notification requirements of the *Municipal Government Act*, which also provides notification of the amendment. Further, should Council approve the proposed amendment to the Conceptual Scheme, adjacent landowners will also be notified of the revised subdivision application when submitted; at which time they will have further opportunity to provide comments on the application including the exact location of the proposed service road.

Communication Plan

Newspaper advertisement, letter

Enclosures

- 1 Rural Location Map
- 2 Location Map
- 3 Notification Map
- 4 Adopted Development Concept
- 5 Proposed Amended Conceptual Scheme with changes indicated
- 6 Proposed clean copy of the Amended Conceptual Scheme