

AGENDA

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Monday, February 5, 2024 – 10:00 a.m.
Council Chambers – 53109A Hwy 779, Parkland County, AB

Virtual attendance option available via Teams

Please email SDAB@parklandcounty.com no later than 9:00 a.m. on Monday, February 5, 2024 to register for attendance via Teams

- 1) Call to order
- 2) Members Present
- 3) Adoption of Agenda
- 4) Adoption of January 22, 2024 Subdivision and Development Appeal Board Meeting Minutes
- 5) Adoption of January 24, 2024 Subdivision and Development Appeal Board Annual Organizational Meeting Minutes
- 6) 10:00 a.m. Appointment
 - I. The appeal of a conditional subdivision approval located at:
Legal Location: NE 13-51-2-W5
Permit Number: PLSP20230732
 - II. Applicant: Robert Allen
 - III. Appellant: Robert Allen
 - IV. Agent: Don Wilson Surveys Ltd.
- 7) Adjournment

APPEAL OF APPROVED DEVELOPMENT PERMIT APPLICATION PLSP20230732

1. NOTICE OF APPEAL	PAGE 7
2. CONDITIONAL APPROVAL	PAGE 14
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5. SUBMISSION OF THE APPELLANT/APPLICANT/AGENT.....	PAGE 115

MINUTES OF THE PARKLAND COUNTY SUBDIVISION & DEVELOPMENT APPEAL BOARD (THE "BOARD") MEETING HELD AT PARKLAND COUNTY CENTRE AT 10:00 A.M., JANUARY 22, 2024

1. CALL TO ORDER/TERRITORIAL LAND ACKNOWLEDGEMENT

Chairperson, B. Bundt called the meeting to order at 10:03 a.m. and on behalf of the Board offered a territorial land acknowledgement.

2. PRESENT

Members: B. Bundt, M. Morin, M. Chambers, A. Tollenaar, C. Lamoreaux

Clerk: B. Williams

Clerk Staff: O. Bartel

Legal Counsel: G. Stewart-Palmer, Shores-Jardine LLP (Attended Virtually)

3. ADOPTION OF AGENDA

Moved by M. Morin that the 10:00 a.m., January 22, 2024 agenda be adopted, as presented.

Carried

4. ADOPTION OF JANUARY 15, 2024 MEETING MINUTES

Moved by C. Lamoreaux that the January 15, 2024 Subdivision and Development Appeal Board Meeting Minutes be adopted, as presented.

Carried

5. NEW BUSINESS

10:00 a.m. Appointment

Appeal of a conditional subdivision approval for a one residential parcel, 4.047 ha (10 ac) in size, located at:

Municipal Address: 51504 Range Road 75

Legal Location: SE 31-51-7-W5M

Application Permit: PLSP20230436

Appellant: Wayne Kulak and Kathy Kulak

Applicants: Wayne Kulak and Kathy Kulak

6. DEVELOPMENT AUTHORITY

Negar Zangi, Current Planner I, Planning & Development Services

Julia Leduc, Senior Current Planner, Planning & Development Services

7. OUTLINE OF HEARING PROCESS

The Chairperson asked if anyone affected by the appeal had any objection to the Board Members present. There were no objections.

The Subdivision and Development Appeal Board Clerk stated that there were no jurisdictional items that the board should be aware of regarding this appeal.

The Chairperson asked if anyone in attendance had not received or reviewed the agenda package prior to the hearing. There were no persons present in the meeting that came forward.

The Chairperson asked those in attendance if there were any objections to the current exhibits as shown in the agenda package presented for this hearing. There were no objections.

The Chairperson asked those in attendance at the meeting if anyone wished to submit materials that were not included in the agenda package. There were no persons present in the meeting that came forward.

8. PRESENTATIONS

Administration

The Chairperson called on the Subdivision Authority to make their presentation. N. Zangi and J. Leduc for Parkland County's Subdivision Authority provided a verbal presentation, referred to materials within the agenda package, and answered questions from the Board.

Appellant/Applicant

The Chairperson called the Appellant/Applicant to make their presentation. W. Kulak and K. Kulak provided a verbal presentation, referred to materials within the agenda package, and answered questions from the Board.

RECESS – The Chairperson adjourned the hearing at 10:42 a.m. and reconvened the hearing at 11:07 a.m.

The Subdivision and Development Appeal Board asked additional questions of the Subdivision Authority. The Subdivision Authority provided responses to the Boards questions.

The Subdivision and Development Appeal Board asked addition questions of the Appellant/Applicant. The Appellant/Applicant provided responses to the Boards questions.

RECESS – The Chairperson adjourned the hearing at 11:27 a.m. and reconvened the hearing at 11:42 a.m.

The Subdivision and Development Appeal Board asked addition questions of the Appellant/Applicant. The Appellant/Applicant provided responses to the Boards questions.

9. CLOSING REMARKS

Appellant/Applicant

W. Kulak and K. Kulak provided closing remarks.

10. ADJOURNMENT

At 11:52 a.m., the Chairperson announced that the hearing is now closed, and the Board will cease to hear any further information, and that a written decision would be handed down within 15 days.

The Chairperson closed the January 22, 2024 Subdivision and Development Appeal Board meeting at 11:52 a.m.

Chairperson

MINUTES OF THE PARKLAND COUNTY SUBDIVISION & DEVELOPMENT APPEAL BOARD (THE "BOARD") ANNUAL ORGANIZATIONAL MEETING HELD AT PARKLAND COUNTY CENTRE AT 8:30 A.M., JANUARY 24, 2024

1. CALL TO ORDER

B. Williams, Clerk, called the meeting to order at 8:38 a.m.

2. PRESENT

Members: B. Bundt, M. Morin, M. Chambers, A. Tollenaar, C. Lamoreaux, K. Kowalski, D. Smith, L. Helton, T. Grenier, D. Baumgardner, L. Foy, R. Wiedeman

Clerk: B. Williams

Clerk Staff: O. Bartel

Legal Counsel: G. Stewart-Palmer, Shores-Jardine LLP

CHAIR ELECTIONS

3. The Clerk opened the floor for Chairperson Nominations for the period of January 24, 2024 to January 22, 2025.

The Clerk made a call for nominations. The following nominations were put forward:

- B. Bundt nominated M. Morin
- M. Chambers nominated D. Smith
- D. Smith nominated B. Bundt

The Clerk made a second call for nominations. The following nominations were put forward:

- D. Smith nominated T. Grenier
- M. Morin nominated L. Foy

The Clerk made a third call for nominations. No further nominations were received.

Nominations ceased.

The Board requested to vote by secret ballot to determine the three (3) Chairpersons. The Board Members cast their vote by secret ballot.

M. Morin declined his nomination.

By secret ballot, the Board voted the three (3) Chairpersons for the ensuing year: Dylan Smith, Barb Bundt, and Tyler Grenier.

4. BOARD OPERATIONS

The Board discussed the following topics:

- a. Parkland County Bylaw 2018-16, and amendments thereto, Board Member appointments; and
- b. Review and discussion of Board's current processes.

5. NEXT ORGANIZATIONAL MEETING

The next organizational meeting of the Parkland County Subdivision and Development Appeal Board is scheduled on January 22, 2025.

6. **MUNICIPAL AFFAIRS TRAINING**

2024 member and clerk training is scheduled for Wednesday, January 24, 2024, after the Board's organizational meeting.

7. **CLOSE OF MEETING**

The Clerk closed the meeting at 9:13 a.m.

Chairperson

Site and appellant information (fill out completely)			
Site Information			
Municipal address of site 51222 Range Road 20			
Legal land description of site ('plan, block, lot' and/or 'range-township-section-quarter') NE 13, 51-2-W5M			
Development permit number or subdivision application number PLSP20230732			
Appellant Information			
Name of appellant Robert Allen		Agent name (if applicable) Don Wilson Surveys Ltd.	
Street Address 5122 Rge. Rd. 20			
City Parkland County	Province Alberta	Postal Code T7Y 2G3	Day Phone Number DWS-780-674-2287
Evening Phone Number Robert-780-916-8845	Fax Number	Email Address honeycut.ra@gmail.com, nate@donwilsonsurveys.com	

Clerk
Subdivision and Development
Appeal Board
Legislative Services
53109A Hwy 779
Parkland County, AB T7Z 1R1
Email: SDAB@parklandcounty.com

Date Received: *December 22, 2023*

Appeal Fee:
Development Permit \$200
Stop Order \$500
Subdivision Application \$250

Receipt No. *3454246*

Appeal Against (check one box only)

Development Permit	Subdivision Application	Order
☐ Approval ☐ Conditions of approval ☐ Refusal	☐ Approval ☒ Conditions of approval ☐ Refusal	☐ Notice of order

Reasons for appeal

Sections 678 and 686 of the *Municipal Government Act* require that the written Notice of Appeal must contain specific reasons for the appeal.

The appeal is herein launched for the following reasons: (attach a separate page if required)

Appealing parcel sizes for Rural Agricultural Subdivision-Residential in the AGG-Agricultural General District limited to maximum parcel size of 4.05ha to be approved for 8.10Ha. The greater parcel size will allow their children to preserve a large tract of land for a larger farm operation. There is an existing pipeline right away running through the proposed lot along with the soil being Hummocky with slight limitations to unsuitable soil and would limit the option of suitable building site, sewer discharge point and water well. Parkland County encouraged landowner to apply for two(2), 4.05Ha, parcels and then amalgamate upon registration at Land Titles office. If the Landowner went with this option they would be required to build two field approaches and culverts to meet Engineering Standards as well as obtain two address signs only to remove when proceeding with the Amalgamation. These conditions of approval would be an unnecessary condition of approval and expense causing financial hardship as the proposed lot 2 will not exist following the amalgamation of the two proposed parcels and would incur additional cost for registration at land titles office for the amalgamation process. Providing approval of the proposed subdivision application for 8.10 Hectares (20 Acres) for this property will also provide an opportunity for future family members or someone working in the area to reduce their commute. It would also allow them to expose their family to an active farming community to which they would be able to positively contribute. The registered Landowner Robert Allen will adhere to the minimum service requirements. The Sanitary sewage shall be provided in compliance with the Alberta Private Sewage Systems Standard of Practice and to the Satisfaction of the Development Authority. For all developments, the availability and suitability of on-site water shall be confirmed and shall be licensed according to the provisions of the Water Act. We have confidence that this appeal will provide for successful ongoing development to meet the goals of the Municipal Development Plan, the Land Use Bylaw, the community, Parkland County, and the registered landowner.

Collection and use of personal information

Personal information is being collected under the authority of the *Municipal Government Act (MGA)* and the *Freedom of Information and Protection of Privacy Act (FOIP)* and is managed in accordance with the provisions of FOIP. This information will be used to process your request for a hearing before the Subdivision and Development Appeal Board. Your information will form part of a file available to the public. If you have any questions about the collection of your personal information, contact Odessa Bartel, FOIP Coordinator at 780-968-3229.

Signature of appellant/agent Agent: Nate Wilson 	Date (YYYY/MM/DD) 2023/12/21
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Barbara Williams

From: tamara@donwilsons-surveys.com
Sent: Thursday, December 21, 2023 1:35 PM
To: SDAB
Cc: honeycut.ra@gmail.com; Nate Wilson; 'Kori Mauch'
Subject: Appeal File PLSP20230732
Attachments: FORM---Notice-of-Appeal-for-SDAB (1).pdf; Letter Supporting Proposed Subdivision-20 Acres.pdf

You don't often get email from tamara@donwilsons-surveys.com. [Learn why this is important](#)

CAUTION: This email originated from outside of Parkland County. Do not click links or open attachments unless you recognize this sender and know the contents are safe.

Good Afternoon,

Don Wilson Surveys Ltd. has been appointed to act as agent for the Registered Landowner Robert Allen who is the registered landowner of NE 13-51-2-W5M. Mr. Allen would like to appeal the decision of the conditional approval file number PLSP20230732 and have attached the completed Notice of Appeal form for your review. We have also attached the letter supporting the proposed subdivision that was submitted along with the application for the proposed subdivision.

Don Wilson Surveys Ltd would like to pay the \$250.00 appeal fee by Visa however we can send a cheque in our outgoing mail as well. Please advise on how we can pay with a visa and will take care of that right away or if a cheque would be preferred.

If you have any questions or require further information from our office, please let me know, and have a great day.

*I Trust This Is What You Require.
Thank you,
Tamara Doerksen.*



Box 4120
Barrhead, Alberta
T7N 1A1
(780) 674-2287
(780) 674-5071 (FAX)
tamara@donwilsons-surveys.com

Don Wilson Surveys Ltd.

Don Wilson, A.L.S.

Box 4120
Barrhead, AB T7N 1A1

Telephone (780)674-2287
Fax (780)674-5071

Your File:

Our File: 23209

13 October 2023

Parkland County
53109A Highway 779
Parkland County, AB T7Z 1R1
Attn: Planning & Development Services

Re: Proposed Subdivision in,
N.E. ¼ Sec. 13 – Twp. 51 – Rge. 2 – W5M

This letter was prepared by Don Wilson Surveys Ltd. who has been appointed to act as agent for the Registered Landowner Robert Allen who is the registered landowner of NE 13-51-2-W5M.

Parkland County encourages landowners and developers to provide a written rationale to support the proposed subdivision application for 8.10 Hectares (20 Acres) versus two (2) 4.05 Hectares (10 Acre) parcels as per Parkland County's Land Use Bylaw. The Purpose of this Letter is to provide an effective framework to evaluate development proposals compliant with key planning policy and provide a guiding framework to support the proposed Subdivision in Parkland County.

The proposed subdivision is zoned Agricultural General District Parcel with its purpose to heighten agricultural production while accommodating a variety of supportive and well-suited land uses. This parcel of land is considered Prime Agricultural Area South East (PASE) as per Parkland County's Municipal Development Plan 4.2 which preserves "Prime Area South East aims to preserve large tracts of land for larger farm operations (grains, vegetables, livestock, etc.) while promoting diversification and expansion into new agricultural sectors." Mr. Allen currently resides on the parcel of the proposed subdivision and is very important to Mr. Allen. Robert Allen would like to create the 8.10 Hectares (20 Acres) proposed parcel in hopes that one of his children will be interested in residing and operating their own farmstead in the future. This is vital and is supported by Parkland County's Municipal Development Plan 2.3 which states that "Protecting key open spaces and agricultural areas will ensure the resources needed to feed and build the region are maintained for future generations while supporting the ability of agricultural areas and hamlets to attract and retain residents and businesses."

Mr. Allen would be compelled to amalgamate the two (2) 4.05 Hectares (10 Acres) parcels following the completion of the proposed subdivision if the proposed subdivision application for 8.10 Hectares (20 Acres) is not initially approved. This would incur additional costs and financial hardship to have the amalgamation be registered at the Land Titles Office. Similarly, the proposed subdivision application for two (2) 4.05 Hectares (10 Acres) parcels would also incur additional financial hardship as Pursuant to Section 655 of the Municipal Government Act.

The Municipal Government Act maintains “A subdivision authority may impose the following conditions, or any other conditions permitted to be imposed by the subdivision and development regulations on a subdivision approval issued” and encompasses that the registered landowner will be required to complete the following with respect to approaches and ditching to ensure the existing field approach and culverts meets Engineering Standards for proposed Lot 2. Relatedly Pursuant to Parkland County Bylaw No. 2015-30, the parcels will need to be numbered using Parkland County’s civic addressing system and would need to purchase the address sign. These conditions of approval would once again be an unnecessary condition of approval and expense causing financial hardship as the proposed lot 2 will not exist following the amalgamation of the two proposed parcels.

The proposed subdivision is designed in a manner that respects natural resources, including but not limited to soils, and vegetation. The proposed land use and development concept for the subject property is consistent with the growth management strategy and land use concept as envisioned in the Municipal Development Plan and Land Use Bylaw to safeguard and improve the County’s important agricultural land base while supporting a robust rural economy and vibrant rural lifestyle. This project will abide by and coincide with the Land Use Bylaw district and its corresponding regulations as well as Parkland County’s Municipal Development Plan. The anticipated development of the subdivision would not interfere with farming operations on adjoining or reasonably adjacent properties, due to adequate buffering or separation of the development from the proposed parcel including the remnant parcel. The proposed parcel has an existing approach with physical access to the developed Range Road 20 and the addition of a single-family residence would not adversely increase traffic impacts on County roads.

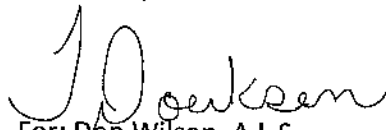
The parent and proposed parcel would be zoned Agricultural General District (AG) to allow for the proposed subdivision and would adapt and support a changing agricultural industry and associated rural lifestyles. The Proposed Subdivision would not impact the preservation of an area’s rural character and scenic qualities, and common lands are marketed as a direct means to invest in and benefit from conservation that will produce significant added value to the individual properties from the open space. Providing approval of the proposed subdivision application for 8.10 Hectares (20 Acres) for this property will also provide an opportunity for future family members or someone working in the area to reduce their commute. It would also allow them to expose their family to an active farming community to which they would be able to positively contribute.

The registered Landowner Robert Allen will adhere to the minimum service requirements. The Sanitary sewage shall be provided in compliance with the Alberta Private Sewage Systems Standard of Practice and to the Satisfaction of the Development Authority. For all developments, the availability and suitability of on-site water shall be confirmed and shall be licensed according to the provisions of the Water Act.

The Subdivision Application is now being presented for Parkland County’s review, consideration, public presentation (If Applicable), and approval. We have confidence that this document will provide for successful ongoing development to meet the goals of the Municipal Development Plan, the Land Use Bylaw, the community, Parkland County, and the registered landowner.

I trust this is what you require.

Yours truly,

A handwritten signature in cursive script, appearing to read 'T. Doerksen'.

For: Don Wilson, A.L.S.

Tamara Doerksen



Parkland County
53109A HWY 779
Parkland County, AB T7Z 1R1
Phone: 780-968-8888 Fax: 780-968-8413

OFFICIAL RECEIPT

DON WILSON SURVEYS -
BOX 4120
BARRHEAD AB T7N 1A1

GST Reg. #: R106989189
Receipt #: 3454246
Receipt Date: 2023/12/22
Page: 1
Received by: KW

Account #	Description	Opening Balance	Payment	Amount Due
1725	Develop Appeal Fee-Non Residen	250.00	250.00	.00

PARKLAND COUNTY
53109A 779 HWY
STONY PLAIN, AB T7Z1R1
(780) 968-8888

SALE
PHONE ORDER

MID: 450952

Batch #: 229 REF#: 00000002
12/22/23 SEQ: 229001001002
10:45:29
CVC: M

APPR CODE: 05874G
VISA

*****1345CNP **/**

AMOUNT \$250.00

00 - APPROVED - 001

SIGNATURE NOT REQUIRED

CARDHOLDER ACKNOWLEDGES RECEIPT
OF GOODS AND/OR SERVICES IN THE
AMOUNT OF THE TOTAL SHOWN ABOVE

Merci/Thank You
Please Come Again

MERCHANT COPY

VS DON WILSON SURVEYS

PARKLAND COUNTY
53109A 779 HWY
STONY PLAIN, AB T7Z1R1
(780) 968-8888

SALE
PHONE ORDER

Batch #: 229 REF#: 00000002
12/22/23 SEQ: 229001001002
10:45:29
CVC: M

APPR CODE: 05874G
VISA

*****1345CNP **/**

AMOUNT \$250.00

00 - APPROVED - 001

Merci/Thank You
Please Come Again

CUSTOMER COPY

Reference	Amount		
		Total Tax:	.00
		Total Amount Paid:	250.00
		- Tender Received:	250.00
		= Change Given:	

THANK YOU FOR YOUR PAYMENT. THE MAYOR AND COUNCIL'S
COMMITMENT TO YOU IS TO SPEND YOUR TAX DOLLARS RESPONSIBLY.



Subdivision and Development Appeal Board Waiver Form

RE: File No. PLSP20230732
Municipal or Legal Address: NE 13-51-2-W5M

I am requesting that this matter be heard on <u>January 29, 2024</u> or <u>February 5, 2024</u> for the following reason(s): Christmas Break - December 22, 2023 - January 1, 2024 which may exceed the requir

I hearby waive my right to be heard by the Board within thirty days.	
X  Signature	X December 22, 2023 Date

The Board makes every reasonable effort to schedule hearings in accordance with the requests made by parties to the appeal but cannot guarantee that a particular request will be granted. Please call us at 780-968-8471 to confirm the date of your hearing.

Parkland County Subdivision and Development Appeal Board
53109A Hwy 779, Parkland County AB, T7Z 1R1
Ph: 780-968-8471
Email: sdab@parklandcounty.com
Website: www.parklandcounty.com

December 20, 2023

File No. PLSP20230732

W5-2-51-13-NE

Don Wilson Surveys Ltd.
Box 4120, Barrhead, AB
T7N 1A1

Dear Don Wilson Surveys Ltd.:

Subject: Conditional Subdivision Approval W5-2-51-13-NE

Decision

Your subdivision application for one residential was conditionally approved by the Director of Planning & Development Services on December 18, 2023.

Conditions of Approval

The subdivision application submitted by Don Wilson Surveys Ltd. on behalf of Robert Walter Allen for the tentative plan of subdivision as shown on Figure 3 dated September 27, 2023 is **CONDITIONALLY APPROVED** subject to the following conditions:

1.	Pursuant to Section 654(1)(d) of the Municipal Government Act, any outstanding taxes on the subject property shall be paid or arrangements be made, to the satisfaction of Parkland County, for the payment thereof.
2.	Pursuant to Section 655 of the Municipal Government Act, the landowner shall complete the following with respect to approaches and ditching: a. ensure the existing field approach off Range Road 20 to the proposed Lot 1 meets Engineering Standard Drawing No. 7.12. The approach shall be graveled to the property line, and be a minimum of 6.0 meters to a maximum of 8.0 meters in width. b. All approaches shall be constructed at the locations detailed on the accepted tentative plan; and c. The applicant shall contact the County's Public Works Program Coordinator, Mr. Shawn Satz, at 780-968-8454 for approval of a haul road agreement prior to hauling any material onto or off site on County roadways. All approaches shall maintain the spacing requirements from adjacent approaches. No disturbance or grading is to adversely affect existing drainage on adjacent lots. All surface grading is to be done in a manner that will prevent cross lot drainage conflicts. All approaches shall contain an apron equivalent to the surface of Range Road 20. Please contact a Development Engineering Officer prior to construction and to schedule inspection appointments at 780-968-8888 ext. 8372. Note: the existing residential approach off Range Road 20 the Remnant Lot meets Engineering Standard Drawing 7.12; no upgrades are required.
3.	Pursuant to Section 4.3.3(a)(ii) of Land Use Bylaw 2017-18 and Policy 4.1.8(b) of Municipal Development Plan Bylaw 2017-14, parcel sizes for Rural Agriculture Subdivision-Residential in the AGG – Agricultural General District are limited to a maximum parcel size of 4.05 ha (10.0 ac). The Alberta Land Surveyor shall revise the tentative plan to reduce the size of proposed Lot 1 to a maximum parcel area of 4.05

	ha (10.0 ac). The final parcel size and configuration of the adjusted parcel shall be submitted to the Director of Planning & Development Services for review and approval.
4.	Pursuant to Section 654(1)(c) of the Municipal Government Act, the proposed subdivision must meet Section 7(g) of the Subdivision & Development Regulation with respect to septic disposal and an inspection of the existing septic system on Remnant Lot is required pursuant to the Private Sewage Disposal Systems Regulation. To schedule an inspection of the existing septic system, please sign-in to your PLANit Parkland Portal account to pay the required fee. A Safety Codes Permit Issuer will contact you to book an inspection. Please read attached Private Sewage Distance Requirements.
5.	Pursuant to Parkland County Bylaw No. 2015-30, the parcels shall be numbered using Parkland County's civic addressing system. Following final inspection of the approach(es), please contact the Current Planner I at 780- 968-8888, to request address assignments. Following assignment of civic addresses, please contact Customer Service at 780-968-8888 to order all required address signs. A copy of the receipt confirming purchase of the address sign(s) shall be provided to Planning & Development Services.
6.	The subdivision shall be registered in a manner acceptable to the Registrar of Land Titles. An endorsement fee of \$529.00 (subject to change) is payable when the final plan is submitted for endorsement by Parkland County. No endorsement fee is charged for reserve lots or public utility lots. If applicable, the Alberta Land Surveyor shall ensure all required setbacks from existing principal and accessory buildings and new property lines are maintained in accordance with Parkland County Land Use Bylaw No. 2017-18.

Reasons for Decision

The proposal was reviewed and was found to be compliant with Parkland County's Municipal Development Plan, and Land Use Bylaw. The application was also found to conform to the relevant considerations as outlined in Section 7 of the Subdivision and Development Regulation. Further, adjacent landowners made no written submissions.

It is noted that proposed Lot 1 is not consistent with Section 4.3(3)(a) of the Land Use Bylaw due to proposed area in excess of 4.05 hectares. The applicant provided the following rationale for the oversized parcel:

- a. Farmstead and Farming Operations: Mr. Allen is proposing the parcel in hopes that his children will be able to reside in and operate their own farmstead.
- b. Natural features and resources: the proposed subdivision is designed in a manner that protects natural resources, including but not limited to soils, and vegetation.
- c. Consistency with County Growth and Land Use Strategies: This is vital and is supported by Parkland County's Municipal Development Plan 2.3 which states that "Protecting key open spaces and agricultural areas will ensure the resources needed to feed and build the region are maintained for future generations while supporting the ability of agricultural areas and hamlets to attract and retain residents and businesses."

The Land Use Bylaw allows for a greater area than 10 acres if required to include shelterbelts, natural features, on-site sewage disposal and water services, buildings or other improvements related to the residential component of a farmstead. The oversized parcel is vacant and therefore does not include lands that are related to the residential component of a farmstead.

Appeal

If you wish to appeal this decision, an appeal may be commenced by submitting a written notice of appeal within 14 days of the date of receipt of this letter. The date of receipt is deemed by law to be 7 days from the date shown on this letter. The notice of appeal must include the file number PLSP20230732, the legal description of the subject property, the \$250.00 appeal fee and the reasons for the appeal. The appeal must be directed to:

Subdivision and Development Appeal Board
53109A Hwy 779
Parkland County, AB T7Z 1R1
Telephone: 780-968-8405

Approval Period

The approval period for this conditionally approved subdivision is **one year**. An extension of the approval period may be granted upon receipt of a written request and payment of the required fee. Repeat extensions of a subdivision approval may not be granted.

Endorsement Information and Requirements

Parkland County will not endorse any Plan of Subdivision or any other subdivision related documents until the expiry of the appeal period specified by the *Municipal Government Act*. This time period is a minimum of 21 days from the date shown on this letter.

In order to register the Plan of Subdivision at the Land Titles office the following must occur:

- all of the conditions of approval must be met to the County's satisfaction within one year of the conditional approval. You are responsible for retaining an Alberta Land Surveyor to prepare the Plan of Subdivision for registration at Land Titles. The Alberta Land Surveyors' Association maintains a listing of surveyors in Alberta which can be found at www.alsa.ab.ca. All plans and any related documents must be submitted to Parkland County for review and approval in advance of expiry of the one year period as the date of endorsement must appear on those plans and documents within one year of the conditional approval;
- a request for endorsement of a subdivision plan must be accompanied with the applicable endorsement fee and one digital copy and two paper copies of the subdivision plan. Additionally, if right-of-way or easement plans are required for drainage or other purposes, copies of those plans must be submitted for review and final acceptance. All final plans for subdivision as well as rights-of-way and easements must be submitted concurrently for review by Parkland County; and
- payment of taxes as a condition of subdivision is required by the Municipal Government Act and by County policy. Payment is required at the time of endorsement. Please contact the undersigned for further information on the taxes owing.

Utility Contacts

You are requested to contact:

- West Parkland Gas Co-op with respect to any development or construction that will take place on the lands as a result of this subdivision approval that may affect the company's interests (i.e. buried service lines);
- Fortis with respect to its easements for new power facilities and/or relocation of existing power facilities, if required; and

Parkland County's Safety Codes Services at 780-968-8443 with respect to the installation/inspection of any private sewage disposal facilities.

Notice to the Applicant regarding Regulation of Activities

Please be aware that issuance of this Approval by the County does not include permission for activities that are regulated through other governing bodies such as Alberta Environment and Parks, Alberta Health or the Government of Canada. The Applicant is responsible for acquiring related permits. The County will not actively review that the Applicant has fulfilled their requirements under the related acts or regulations.

- You may consult with Alberta Environment and Parks regarding to your obligations under the *Water Act*, the *Environmental Protection Act* and the *Alberta Public Lands Act*. Those acts are broad but may cover development and operation activities within your project possibly including:

- well water or surface water use
- drainage
- wetland or water course disturbance including bank and shore
- drinking water
- wastewater disposal including sewage

Some related websites for Environment and Parks current at the time of this note are:

<http://www.aep.alberta.ca/>

<http://www.aep.alberta.ca/water/default.aspx>

<http://www.aep.alberta.ca/water/forms-applications/default.aspx>

- You may consult with Alberta Health Services. Some of their related governance is contained in the *Public Health Act - Nuisance and General Sanitary Regulation*. Their responsibilities are also broad, but they may cover activities within your project including:

- drinking water
- sanitary facilities
- facilities accessed by the public
- sewage

Some related websites for Alberta Health and Alberta Health Services current at the time of this note are:

<http://www.health.alberta.ca/about/health-legislation.html>

<https://www.albertahealthservices.ca>

<https://www.albertahealthservices.ca/info/service.aspx?id=1052203>

If you have any questions or concerns, please contact the undersigned at 780-968-8888 or at roya.karimi-boushehri@parklandcounty.com.

Sincerely,



Roya Karimi-Boushehri
Planner I, Current Planning

CC: Robert Walter Allen
Alberta Health Services
Alberta Energy Regulator
Alberta Transportation
Canada Post
Alberta Environment and Parks (AEP) (Water Act)
Evergreen Catholic Schools
Parkland School Division
AltaLink
Fortis Alberta
Telus
West Parkland Gas Co-op
District Councilor
Land Development and Engineering
Deputy Fire Chief

Encl: Signed Director's Decision Report
Stamped and Signed Tentative Plan of Subdivision

Subdivision and Development Appeal Board

January 8, 2024

Dear Sir/Madam:

NOTICE OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

Appeal of:	Subdivision Application: Conditions of Approval Permit Number: PLSP20230732
Location:	Legal Address: NE 13-51-2-W5M Municipal Address: 51222 Range Road 20
Appeal Received:	December 22, 2023
Applicant:	Robert Allen Agent: Don Wilson Surveys Ltd.
Appellant:	Robert Allen Agent: Don Wilson Surveys Ltd.
Appeal Hearing Date:	10:00 a.m., Monday, February 5, 2024
Appeal Hearing Location:	Council Chambers – 53109A Hwy 779, Parkland County, AB <i>Virtual attendance also available</i>
Submissions Deadline:	January 31, 2024

Parkland County received a Subdivision application for one residential parcel, located at W5-2-51-13 NE. The subdivision application was conditionally approved on December 18, 2023.

Correspondence has been received appealing the decision for approval, and in accordance with Section 678 of the *Municipal Government Act*, a hearing will be held at Parkland County Centre in Council Chambers on **Monday, February 5, 2024 at 10:00 a.m.**

Written submissions for inclusion in the agenda package for the Subdivision and Development Appeal Board regarding this appeal must be received by the undersigned on or before **Wednesday, January 31, 2024**. This will allow time for all parties to review all information before the hearing. In the event you present written information at the meeting that is not received by **Wednesday, January 31, 2024**, there may be delay or postponement of the hearing or the decision-making process.

All written submissions for the agenda package must be sent via email to sdab@parklandcounty.com , or dropped off at the Parkland County Centre building during regular business hours on or before January 31, 2024.

The agenda package for this hearing will be available for viewing on our website: www.parklandcounty.com/sdab no later than February 1, 2024. Prior to the start of the hearing, a copy of the application and supporting documentation is available for inspection at Parkland County Centre, during regular business hours. Please contact Legislative Services at 780-968-8888 or by email at sdab@parklandcounty.com to schedule an appointment to view these documents.

Please Note:

This meeting will be conducted in person at the Parkland County Council Chambers. However, for those unable to attend in person the option to attend via Teams conferencing is available. Should you wish to attend via Teams conferencing please contact SDAB Clerk staff by email at SDAB@parklandcounty.com or by telephone at 780-968-8888 no later than 9:00 a.m. on Monday, February 5, 2024.

Please contact the Clerk's Office at the above should you require assistance or have any questions/concerns.

Yours truly,



Barb Williams
Clerk, Subdivision and Development Appeal Board
sdab@parklandcounty.com

Subdivision Authority Written Submission to the Subdivision and Development Appeal Board

Date	10:00 a.m., Monday, February 5, 2024	File No.	PLSP20230732
Applicant	Don Wilson Surveys Ltd.	Owner	Robert Walter Allen
Legal	W5-2-51-13-NE	MDP	Rural Agricultural
Area	63.01 hectares (156.03 acres)	LUB	AGG-Agricultural General District
Existing Use	Extensive Agricultural and rural residential	Proposed Use	Rural Agricultural - Residential
Parcels	+1	Division	4
Decision Date	December 18, 2023	Appeal Body	Subdivision & Development Appeal Board
Administration Recommendation		That the appeal be denied.	

Exhibits:

1. Location Map (dated October 18, 2023)
2. Aerial Map (dated September 27, 2023)
3. Tentative Plan Approved (dated September 27, 2023)
4. Landowner Declaration and Consent Form (dated September 27, 2023)
5. Certificate of Title (retrieved October 3, 2023)
6. Utility Right of Way 052 529 249 (dated November 16, 2005)
7. Utility Right of Way 052 529 250 (dated November 16, 2005)
8. Utility Right of Way 052 529 251 (dated November 16, 2005)
9. Utility Right of Way 992 388 229 (dated September 15, 1999)
10. Caveat 992 390 952 (dated December 20, 1999)
11. Certificate of Instrument 5574VE (received October 17, 2023)
12. Applicant Acknowledgement Letter (dated October 18, 2023)
13. Adjacent Landowners Notification Letter (dated October 18, 2023)
14. Adjacent Landowners Notification Map (created January 17, 2023)
15. Adjacent Landowners Notification List (dated October 18, 2023)
16. Referral Agencies Notice (sent via Email October 18, 2023)
17. Subdivision Application Processing Time Extension Agreement (accepted December 8, 2023)
18. Written Rationale for Variance Request From Applicant (dated October 13, 2023)
19. Response to Applicant Re Variance Request (dated October 5, 2023)
20. Correspondence with Applicant Re Subdivision Decision (dated December 8, 2023)
21. Subdivision Decision Report (signed by the Subdivision Authority on December 18, 2023)
22. Notice of Decision– Applicant and Owner (dated December 20, 2023)
23. Land Use Bylaw No. 2017-18 District Map 8
24. Relevant Municipal Development Plan Policies
25. Municipal Development Plan No. 2017-14 Figures

Appendix A – Relevant Legislation and Bylaws

1. LOCATION

The subject lands are located within Division 4, immediately west of Range Road 20 and approximately 800m north of Township Road 512.

Parcels adjacent to the subject lands are used for extensive agricultural and rural residential land purposes. For additional background information, Administration's detailed review of the application can be found in the Subdivision Decision Report (Exhibit 21).

2. STATUTORY REQUIREMENTS OF THE APPEAL

The initial application for the proposed subdivision was accepted for evaluation and processing by the County on October 18, 2023. The decision to conditionally approve the application was made on December 18, 2023 by the Subdivision Authority. The conditional subdivision approval was emailed to the appellant and applicant and Notice of Decision mailed to adjacent landowners on December 20, 2023.

A notice of appeal was received from the Appellant on December 22, 2023. The appeal identified Condition #3 of the conditional subdivision approval that is being appealed:

3.	Pursuant to Section 4.3.3(a)(ii) of Land Use Bylaw 2017-18 and Policy 4.1.8(b) of Municipal Development Plan Bylaw 2017-14, parcel sizes for Rural Agriculture Subdivision-Residential in the AGG – Agricultural General District are limited to a maximum parcel size of 4.05 ha (10.0 ac). The Alberta Land Surveyor shall revise the tentative plan to reduce the size of proposed Lot 1 to a maximum parcel area of 4.05 ha (10.0 ac). The final parcel size and configuration of the adjusted parcel shall be submitted to the Director of Planning & Development Services for review and approval.
----	--

Administration has prepared a review of Condition #3 of approval for the Boards review. It is Administration's opinion that this appeal was launched within the required timeframe set out in the *Municipal Government Act*.

4. SUBDIVISION AUTHORITY DECISION

The application for one (1) parcel 8.10 ha (20.0 ac) in size is not in conformance with the County's policies and plans regarding parcel size. Additional information regarding the relevant legislation can be found in Appendix A. The proposed subdivision would be the first parcel to be created from the quarter section.

Municipal Development Plan Bylaw 2017-14

The application is not consistent with Policy 4.1.8(b) of the County's Municipal Development Plan which states that Farmstead subdivisions in the Rural Agricultural Area should not encompass productive agricultural land and are typically no more than ten (10) acres (4.05 ha) in size.

The application is also not consistent with Policy 4.1.7(a) of the County's Municipal Development Plan which states that subdivisions for agricultural purposes other than small holdings should typically be eighty (80) acres (32.37 ha) or greater in size.

Furthermore, the subject lands are located within the Prime Agricultural Area South East. The application is not consistent with Policy 4.2.2(a) of the County's Municipal Development Plan which states that the Prime Agriculture Area South East should retain large land parcels to support grazing and specialty operations such as grain and crop farming, while promoting diversification and expansion into new agricultural sectors.

The Municipal Development Plan identifies the Prime Agricultural Area Small Holdings area as shown on Figure 9 – Prime Agricultural Areas (Exhibit 25). A range of parcel sizes, including those between 10 acres and 40 acres, are contemplated within this area and supported by Policy 4.2.4(b). The subject quarter section is not located within this identified area.

Land Use Bylaw 2017-18

The subject lands are districted AGG-Agricultural General District. The application is not consistent with Section 4.3(3)(a)ii of the Land Use Bylaw which allows for the subdivision of residential parcels between 0.8 ha (2.0 ac) and 4.05 ha (10.0 ac) in size.

The application is also not consistent with Section 4.3(3)(a)i of the Land Use Bylaw which states that Extensive Agricultural and Extensive Livestock Parcels shall have a minimum parcel area of 16.0 ha (40.0 ac) more or less.

In summary, the Land Use Bylaw allows for the following two parcel types within AGG-Agricultural General District:

- 1) Residential Parcels – which shall be between 2.0 acres to 10.0 acres in size
- 2) Agricultural Parcels – which shall be greater than 40.0 acres

Parcel sizes between 10.0 acres and 40.0 acres are not permitted. Therefore, the size of the proposed parcel is inconsistent with the Land Use Bylaw, as 20.0 acres does not fall within the requirements of a residential or agricultural parcel.

Adjacent Landowners

As of the date of this report, no comments from the adjacent landowners were received by Administration upon sending out the Notice of Appeal.

5. RECOMMENDATION

Administration recommends that the Subdivision and Development Appeal Board:

1. Deny the appeal and uphold the Subdivision Authority's December 18, 2023 decision and approve the one (1) parcel, 8.10 ha (20.0 ac), in size subject to Condition of approval three (3) which states that the size of the proposed Lot 1 shall be revised to a maximum parcel area of 4.05 ha (10.0 ac).

Alternatively, the Subdivision and Development Appeal Board may:

2. Approve the appeal and revise the conditional of approval as determined by the Board.
3. Refuse the subdivision application.

Report Prepared By:

Roya Karimi-Boushehri, Current Planner I

Date

Appendix A - Relevant Legislation and Bylaws

Municipal Government Act

Approval of application

- 654(1)** A subdivision authority must not approve an application for subdivision approval unless
- (a) the land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended,
 - (b) the proposed subdivision conforms to the provisions of any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,
 - (c) the proposed subdivision complies with this Part and the regulations under this Part, and
 - (d) all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality where the land is located or arrangements satisfactory to the municipality have been made for their payment pursuant to Part 10.
- (2)** A subdivision authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the land use bylaw if, in its opinion,
- (a) the proposed subdivision would not
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
- And
- (b) the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.
- (3)** A subdivision authority may approve or refuse an application for subdivision approval.

Subdivision and Development Regulation

Sections 9, 10 and 11 of the Subdivision and Development Regulation state:

Relevant considerations

- 9.** In making a decision as to whether to approve an application for subdivision, the subdivision authority must consider, with respect to the land that is the subject of the application,
- (a) its topography,
 - (b) its soil characteristics,
 - (c) storm water collection and disposal,
 - (d) any potential for the flooding, subsidence or erosion of the land,
 - (e) its accessibility to a road,
 - (f) the availability and adequacy of a water supply, sewage disposal system and solid waste disposal,
 - (g) in the case of land not serviced by a licensed water distribution and wastewater collection system, whether the proposed subdivision boundaries, lot sizes and building sites comply with the requirements of the Private Sewage Disposal Systems Regulation (AR 229/97) in respect of lot size and distances between property lines, buildings, water sources and private sewage disposal systems as identified in section 4(4)(b) and (c),
 - (h) the use of land in the vicinity of the land that is the subject of the application, and
 - (i) any other matters that it considers necessary to determine whether the land that is the subject of the application is suitable for the purpose for which the subdivision is intended.

Reasons for decision

10. The written decision of a subdivision authority provided under section 656 of the Act must include the reasons for the decision, including an indication of how the subdivision authority has considered

- (a) any submissions made to it by the adjacent landowners, and
- (b) the matters listed in section 9.

Road access

11. Every proposed subdivision must provide to each lot to be created by it (a) direct access to a road, or (b) lawful means of access satisfactory to the subdivision authority.

Municipal Development Plan Bylaw No. 2017-14**4.1.7 Rural Agricultural Subdivision - Agriculture**

- a. Rural Agriculture Subdivision - Agriculture for agricultural purposes other than small holdings should typically be eighty (80) acres (32.37 ha) or greater in size.

4.1.8 Rural Agriculture Subdivision – Farmstead

- a. Rural Agriculture Subdivision - Farmstead is supported in the Rural Agricultural Area to provide opportunities for rural living, support multi-generational farming and ensure sufficient population to service the agricultural sector.
- b. Rural Agriculture Subdivision - Farmstead in the Rural Agricultural Area should not encompass productive agricultural land and are typically no more than ten (10) acres (4.05 ha) in size.

4.2.2 Prime Agriculture Area South East

- a. Prime Agriculture Area South East should retain large land parcels to support grazing and specialty operations such as grain and crop farming while promoting diversification and expansion into new agricultural sectors.
- b. Within the Prime Agriculture Area South East, a total four (4) parcels are supported per quarter section.
- c. Subdivisions for non-agricultural developments should be limited in Prime Agriculture Area South East.

SECTION 4 AGRICULTURAL

4.1 AGG – Agricultural General District



1. Purpose

The purpose of the Agricultural General District is to protect and enhance agricultural production while accommodating a range of supportive and compatible land uses.

2. Uses

a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 2 b) and c) shall ensure:

- i) That Natural Resource Extraction/Processing shall not be located within a Multi-Parcel Residential Subdivision;
- ii) That Manufactured Home, Single Wide as a Discretionary Use shall only be allowed within the following Multi-Parcel Subdivisions:
 - Flickinger Acres NE 20-51-1-W5M
 - Jud Ranch S ½ 17-52-1-W5M
- iii) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system;
- iv) That Wind Energy Converter System(s) - Minor, as a Discretionary Use, are limited to no more than two systems; and
- v) That Recreational Vehicle Storage shall not be within 150.0 m of a Multi-Parcel Residential Subdivision.

Bylaw No. 2018-03

Bylaw No. 2019-01

b) PERMITTED USES	c) DISCRETIONARY USES
Apiary	Abattoir
Bed and Breakfast Home	Agricultural Support Services
Cannabis Cultivation, Minor	Animal Health Care Services
Dwellings, Single Detached	Aquaculture
Farm Vacation Home	Automotive Equipment and Vehicle Services
Government Services	Automotive repair only on Lot A, Plan 5388 HW, Pt. NE-31-52-26-W4M, and Pt. NE-36-51-28-W4M (School bus operations)
Home Day Care	Only on the 8.09 hectares within SE-35-52-06-W5M
Manufactured Home, Single Wide	Cannabis Cultivation, Major
Wind Energy Converter System – Minor	Cottage Industry
Accessory Uses for the uses listed in 4.1.2 b)	Cultural Facilities
	Day Care Services

Bylaw No. 2018-03

b) PERMITTED USES	c) DISCRETIONARY USES
	General Industrial Manufacturing / Processing <i>only on the Northern half of NW15-15-7-W5</i> Group Care Facility Group Home, Limited Group Home, Major Home Based Business Level 2 Home Based Business Level 3 Horticultural Use Industrial Storage and Warehousing <i>only on SW 3-52-27-W4 and 8.09 ha within SE 35-52-06-W5 (Tri Lakes Septic)</i> Kennel Livestock Auction Mart Manufactured Home, Single Wide Medical Treatment Services Natural Resource Extraction/Processing Natural Science Exhibit Out-Building Outdoor Participant Recreation Services Outdoor Shooting Range Personal and Health Care Services <i>only on Lot B, Plan 842 1539, Pt. NE 28-52-27-W4</i> Professional, Business, Financial and Office Support Services <i>only on Lot 1, Plan 782 1361, Pt. SW 27-52-27-W4</i> <i>only on the 8.09 ha within S.E. 35-52-06-W5M as shown on Schedule "A" of Bylaw No. 2015-10 (Tri-Lakes Septic)</i> Recreational Vehicle Storage Religious Assembly Riding Arena Secondary Suite Small Animal Breeding and/or Boarding Services Tourist Campground, Destination Tourist Campground, Enroute

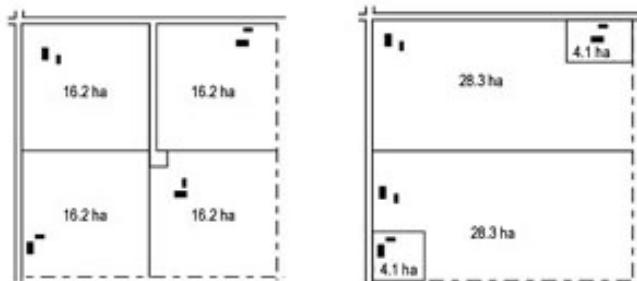
Bylaw No. 2018-03

b) PERMITTED USES	c) DISCRETIONARY USES
	Utility Service – Major Infrastructure Wind Energy Converter Systems – Major Wind Energy Converter System – Minor Accessory Uses for the uses listed in 4.1.2 c)

Bylaw No. 2018-09

3. Subdivision

- a) Parcel Area Requirement (for purposes of new Parcel creation only)
 - i) Extensive Agriculture and Extensive Livestock shall have a minimum Parcel area of 16.0 ha more or less. The minimum Parcel Frontage shall be 400.0 m, more or less.
 - ii) Manufactured Home (single wide) and Dwelling, Single Detached shall have a minimum Parcel area of 0.8 ha of contiguous developable land and a maximum Parcel area of 4.0 ha for a single Parcel residential subdivision, unless greater area is required to include shelterbelts, natural features, on-site sewage disposal and water services, buildings or other improvements related to the residential component of an existing farmstead and the applicant can demonstrate to the satisfaction of the County that existing farming operations on the remnant quarter section will not be restricted.
 - iii) Minimum Parcel Frontage shall be 30.0 m excepting that it may be 20.0 m fronting onto an internal cul-de-sac.
 - iv) The maximum width:depth ratio for a residential Parcel shall be 1:4.
 - v) For all other Permitted and Discretionary Uses the minimum and maximum Parcel area requirements shall be determined by the Subdivision Authority.
- b) Number and Size of Parcels
 - i) A maximum of three (3) subdivisions in addition to the remnant of the original quarter section shall be permitted per quarter section that may include the following:
 - (1) a maximum of four (4) 16 ha Parcels for Extensive Agriculture and Extensive Livestock that must have generally equal length and width;

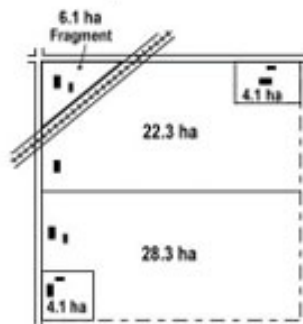


- (2) a maximum of two (2) residential Parcels; however, only one (1) residential Parcel will be permitted to be subdivided out of each 32.0 ha Parcel; or

- (3) a maximum of three (3) adjacent residential Parcels such that at least two (2) of the Parcels share a common approach onto a municipal road.



- c) Notwithstanding Subsection 4.1.3 b), the subdivision of a Parcel fragmented by a natural or man-made feature, such as a creek or Highway, may be supported if all the following criteria are met:
- i) the County is satisfied the size and characteristic of the fragmented land and the difficulty of access from the remainder of the land means the Parcel cannot be reasonably used with the balance of the title; and
 - ii) the Parcel is the entire area of the fragment.



- d) Notwithstanding, pursuant to the *Act*, the provisions of Section 14 of the Subdivision and Development Regulation will prevail for all quarter sections within 800.0 m from a controlled Highway.

4. Development

- a) Setbacks for Principal Buildings
- i) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
 - ii) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
 - iii) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.

- iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
- v) A minimum Setback of 6.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
- vi) A minimum Setback of 6.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
- b) Setbacks for Accessory Buildings
 - i) A minimum Setback of 7.5 m shall be provided from the Property Line of an adjacent internal subdivision road.
 - ii) A minimum Setback of 13.0 m shall be provided from the Property Line of an adjacent municipal road right-of-way.
 - iii) A minimum Setback of 45.0 m shall be provided from the Property Line of an adjacent Arterial Road right-of-way.
 - iv) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
 - v) A minimum Setback of 3.0 m shall be provided from the side edge of the Parcel, not adjacent to any roadway.
 - vi) A minimum Setback of 3.0 m shall be provided from the rear edge of the Parcel, not adjacent to any roadway.
- c) For Home Based Business Level 3, a minimum Setback of 152.0 m shall be maintained from the boundaries of the development to the boundaries of a multi-Parcel subdivision.
- d) Proposed development on substandard Parcels which do not meet the provisions of this Bylaw shall be considered by the Development Authority and development permits may be issued, having regard for the limitations of the Parcel.
- e) For all other Permitted and Discretionary Uses the minimum building Setback requirement shall be determined by the Development Authority.

5. Other Development Regulations

- a) Dugouts shall not be located within 30.0 m of any public road, or as approved by the Development Authority, and shall not encroach upon or affect any watercourse or drainage easement, and shall meet the minimum Setback requirements of the applicable district.
- b) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
- c) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.

- d) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT REGULATIONS.

6. Out-Building Regulations

- a) Applications for an Out-Building shall be considered at the discretion of the Development Authority based on the merits of the application and the context of the area. Consideration shall include, but not be limited to the size, scale, intensity, and intended use of the development; proximity to buildings on adjacent lands; established character within the area; Parcel size; and reasonable compatibility.
- b) An Out-Building shall:
 - i) Have a maximum floor area of 80 m²
 - ii) Be finished with durable exterior building material such as siding, stucco, brick, brick veneer or similar; and
 - iii) Be screened to the satisfaction of the Development Authority.

Exhibit 1



Location Map - 51222 RGE RD 20

Notes: PLSP20230732

Created By: Roya Karimi-Boushehri

Created On: Oct 18, 2023

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. **THIS MAP IS NOT TO BE USED FOR NAVIGATION OR LEGAL PURPOSES**



1: 12,926



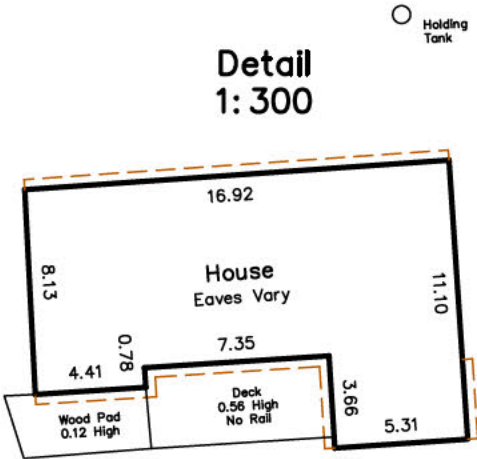
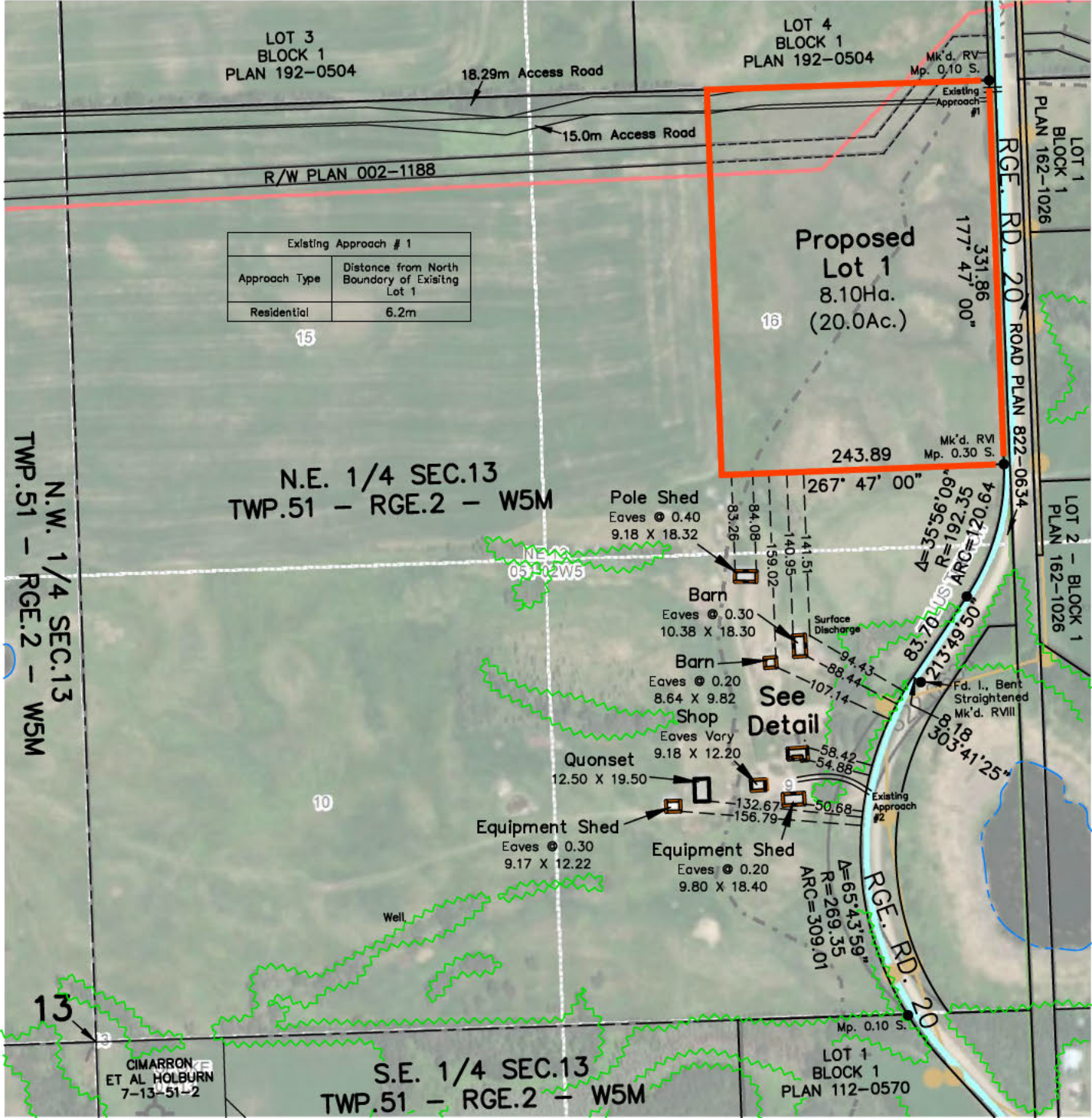
© Parkland County Page 31 of 115

PLAN SHOWING PROPOSED SUBDIVISION OF

Part of N.E. 1/4 SEC.13 - TWP.51 - RGE.2 - W5M

51222 RGE. RD. 20 - PARKLAND COUNTY

SCALE:1:5000 2023



NOTES: DISTANCES ARE IN METRES AND DECIMALS THEREOF
STATUTORY IRON SURVEY POSTS FOUND SHOWN THUS: ●
PROPOSED LOT BOUNDARY SHOWN THUS: —
EDGE OF TREELINE SHOWN THUS: ~~~~~
EDGE OF WATER FEATURES SHOWN THUS: - - -

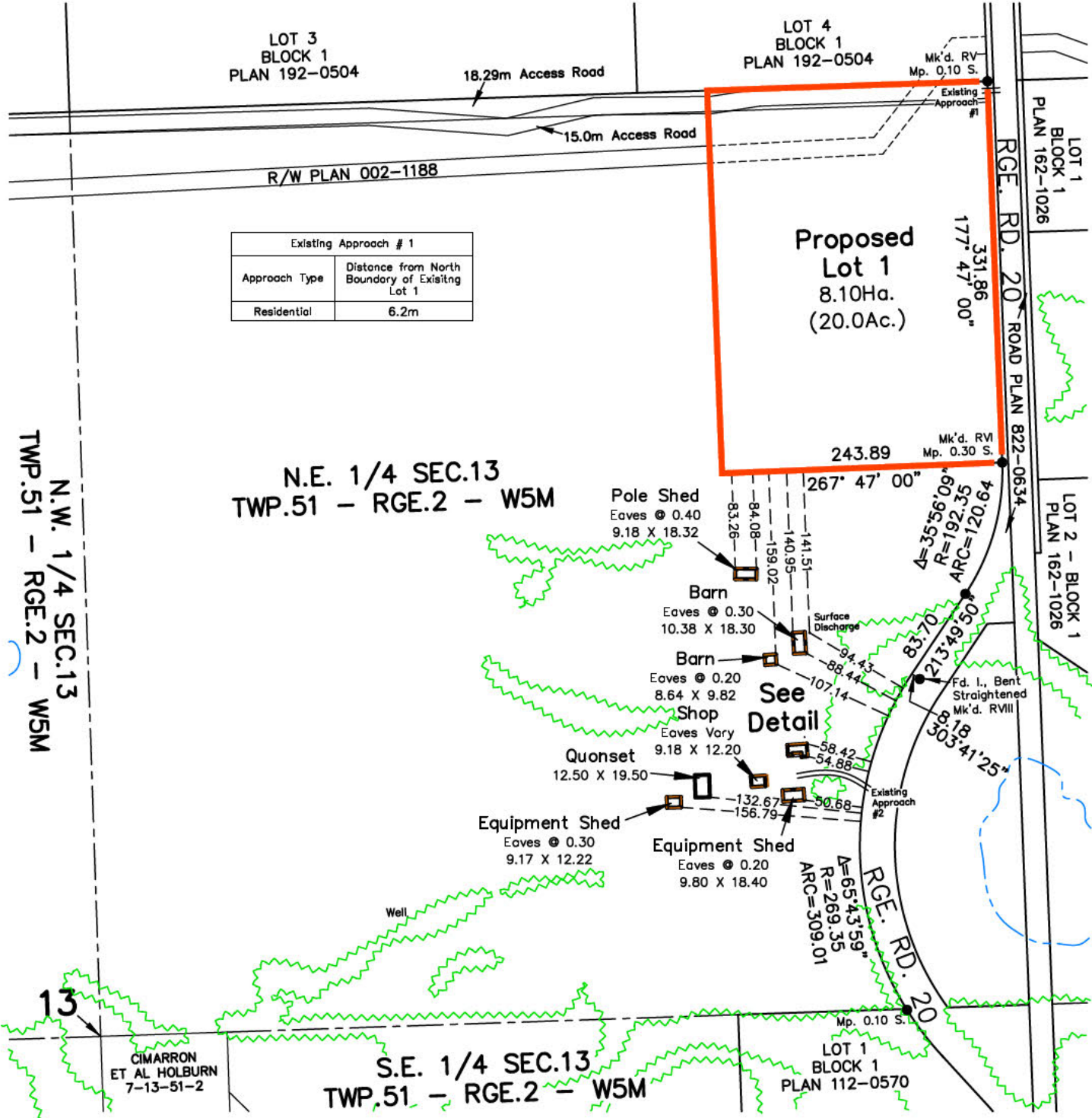
BOX 4120, BARRHEAD, ALBERTA
T7N 1A1 PHONE: (780) 674-2287
FILE: 23209 DATE: SEPTEMBER 27, 2023

PLAN SHOWING PROPOSED SUBDIVISION OF

Part of N.E. 1/4 SEC.13 - TWP.51 - RGE.2 - W5M

51222 RGE. RD. 20 - PARKLAND COUNTY

SCALE:1:5000 2023



NOTES: DISTANCES ARE IN METRES AND DECIMALS THEREOF
STATUTORY IRON SURVEY POSTS FOUND SHOWN THUS: ●
PROPOSED LOT BOUNDARY SHOWN THUS: —
EDGE OF TREELINE SHOWN THUS: ~
EDGE OF WATER FEATURES SHOWN THUS: ---

BOX 4120, BARRHEAD, ALBERTA
T7N 1A1 PHONE: (780) 674-2287
FILE: 23209 DATE: SEPTEMBER 27, 2023



Landowner Declaration and Consent Form

Registered Landowner Declaration and Consent (complete this section if you are the landowner)

Subject Legal and/or Civic Address (the "Lands") NE 13-51-2-W5M, 51222 RGE RD 20

I / We, the registered owner(s) or authorized representative of the landowner hereby:

- Grant authorization for Parkland County staff to enter the Lands to conduct site inspections and evaluations;
- Understand that if an application is approved or refused by the decision-making Authority, it may be appealed to the applicable appeal board (Subdivision and Development Appeal Board or Land and Property Rights Tribunal). It is further understood that the appeal board may confirm, revoke, or vary the decision or any condition because of such an appeal being duly served, and that any work undertaken prior to an appeal being filed is entirely at my/our risk;
- Understand that any approvals granted regarding an application does not excuse me/us from complying with the requirements of any Federal, Provincial, or other Municipal Legislation, or the conditions of any easement, restrictive covenant, or agreement affecting the Lands;
- Certify the information provided with the application is, to the best of my/our knowledge, a true statement of the facts relation to the application;
- Consent to receive communication and application decisions through electronic means if applicable.

Note that Parkland County sends application-related correspondence to the named applicant.

I / We hereby authorize the applicant [REDACTED] to act as an agent on my/our
(please leave blank if you are the applicant)
behalf relating to the application(s) identified below at the address above.

Signature of Primary Registered Owner

Print Name

Date

Registered Owner Email

Registered Owner Phone Number

The above signature provides consent for the following application(s):

☐ Development Permit

☐ Civic Address New/Change

☒ Subdivision

☐ Comprehensive Planning Application

☐ Compliance Review

Signatures of additional Owners on Title (only applicable for Subdivisions and Comprehensive Planning Applications)

Registered Owner Signature

Print Name

Date

Registered Owner Signature

Print Name

Date

Registered Owner Signature

Print Name

Date

Registered Owner Signature

Print Name

Date

Applicant Declaration (complete this section if you are the applicant but not the landowner)

I / We the Applicant, hereby:

- Certify that I/we am/are the contact for the Primary Registered Landowner;
- Certify the information provided with the application is, to the best of my/our knowledge, a true statement of the facts relating to the application;
- Consent to receive communication and application decisions through electronic means.

Signature of Applicant

Print Name

Date

September 27, 2023

The information collected on this document will be used for the purposes allowed under the authority of the *Municipal Government Act*. The personal information that you provide may be made public subject to the provisions of the *Freedom of Information and Protection of Privacy Act*. Questions regarding the collection and use of this information may be directed to the Freedom of Information & Protection of Privacy Coordinator for Parkland County at 780-968-3229.

Latest Revision: 08.25.2023



LAND TITLE CERTIFICATE

S		
LINC	SHORT LEGAL	TITLE NUMBER
0028 715 143	5;2;51;13;NW	182 118 293
0022 808 547	5;2;51;13;NE	

LEGAL DESCRIPTION

FIRST
MERIDIAN 5 RANGE 2 TOWNSHIP 51
SECTION 13
QUARTER NORTH WEST
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

	HECTARES	(ACRES)	MORE OR LESS
A) PLAN 0120163 - ROAD	0.481	1.19	

EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

SECOND
MERIDIAN 5 RANGE 2 TOWNSHIP 51
SECTION 13
QUARTER NORTH EAST
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS
EXCEPTING THEREOUT:
1.605 HECTARES (3.97 ACRES) MORE OR LESS
FOR ROAD AS SHOWN ON ROAD PLAN 8220634
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

MUNICIPALITY: PARKLAND COUNTY

REFERENCE NUMBER: 062 449 284

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
182 118 293	24/05/2018	TRANSFER OF LAND	\$1,280,000	NIL

OWNERS

[REDACTED]
[REDACTED]

PARKLAND COUNTY
ALBERTA T7Y 2G3

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
5574VE	11/12/1974	UTILITY RIGHT OF WAY GRANTEE - WEST PARKLAND GAS CO-OP LTD. AFFECTED LAND: 5;2;51;13;NE
992 388 229	23/12/1999	UTILITY RIGHT OF WAY GRANTEE - FREE REIN RESOURCES LTD. 3900, 350-7 AVE SW CALGARY ALBERTA T2P3N9 (DATA UPDATED BY: CHANGE OF NAME 132063017) (DATA UPDATED BY: CHANGE OF ADDRESS 132110875) (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 152055368) (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 212033867)
992 390 952	30/12/1999	CAVEAT RE : SURFACE LEASE UNDER 20 ACRES CAVEATOR - FREE REIN RESOURCES LTD. 3900, 350-7 AVE SW CALGARY ALBERTA T2P3N9 AFFECTED LAND: 5;2;51;13;NW (DATA UPDATED BY: CHANGE OF NAME 132061631) (DATA UPDATED BY: CHANGE OF ADDRESS 132118744) (DATA UPDATED BY: TRANSFER OF CAVEAT 152055366) (DATA UPDATED BY: TRANSFER OF CAVEAT 212033935)
052 529 249	30/11/2005	UTILITY RIGHT OF WAY GRANTEE - WEST PARKLAND GAS CO-OP LTD. AFFECTED LAND: 5;2;51;13;NW SEE INSTRUMENT FOR INTEREST
052 529 250	30/11/2005	UTILITY RIGHT OF WAY GRANTEE - WEST PARKLAND GAS CO-OP LTD. AFFECTED LAND: 5;2;51;13;NW SEE INSTRUMENT FOR INTEREST
052 529 251	30/11/2005	UTILITY RIGHT OF WAY GRANTEE - WEST PARKLAND GAS CO-OP LTD. AFFECTED LAND: 5;2;51;13;NW

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3

182 118 293

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

SEE INSTRUMENT FOR INTEREST

182 178 603 24/07/2018 MORTGAGE
MORTGAGEE - ATB FINANCIAL.
5014-50 ST, BOX 3180
STONY PLAIN
ALBERTA T7Z1T2
ORIGINAL PRINCIPAL AMOUNT: \$65,000

182 265 773 24/10/2018 AMENDING AGREEMENT
AMOUNT: \$142,649
AFFECTS INSTRUMENT: 182178603

192 252 851 18/10/2019 AMENDING AGREEMENT
AMOUNT: \$282,750
AFFECTS INSTRUMENT: 182178603

TOTAL INSTRUMENTS: 009

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 3 DAY OF
OCTOBER, 2023 AT 10:43 A.M.

ORDER NUMBER: 48500158

CUSTOMER FILE NUMBER: 23209



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

**ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE**

IMAGE OF DOCUMENT REGISTERED AS:

052529249

ORDER NUMBER: 48521219

ADVISORY

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UTILITY RIGHT OF WAY

(SECTION 72 LAND TITLES ACT R.S.A. 1980, c.L-5)

WEST PARKLAND GAS CO-OP LIMITED (hereinafter referred to as the "Association"), of **STONY PLAIN, ALBERTA**.

WHEREAS the Association proposes to furnish gas service to its members in the Association's franchise area, by means of a natural gas pipeline/or pipelines and related facilities called herein the "distribution system".

AND WHEREAS for the purpose of constructing and maintaining the distribution system on the land of the undersigned, being the registered owner of a parcel of land, subject to such encumbrances, liens and interests as may be notified on existing Certificate of Title and situate in the Province of Alberta, namely:

THE NW ¼ OF SECTION 13-51-2-5 ✓

AS DESCRIBED IN C. OF T. 022313663 ✓

RESERVING THEREOUT ALL MINES AND MINERALS ✓

NOW THEREFORE in consideration of the sum of One Dollar (\$1.00) paid to me, the receipt of which is hereby acknowledged, I (WE) (hereinafter referred to as the "Grantor")

RANDALL D. ALLEN ✓

EDMONTON, ALBERTA

AS TO AN UNDIVIDED 1/9 INTEREST ✓

hereby grant to the Association a utility right of way for locating, constructing, maintaining and removing its distribution system including the right to carry out the necessary trimming and cutting of trees and brush, on and over such part of said lands as may be necessary from time to time. Extensions, continuations or branches of the distribution system will, where possible, and with due consideration for costs, be located according to the Grantor's wishes. The utility right of way is hereby granted for as long a period as the Association, its successors and assigns, desires and continues to maintain and operate the distribution system across the said lands.

The Grantor and the Association hereby covenant and agree to the following terms and conditions.

1. DAMAGES

The Association shall pay to the Grantor reasonable compensation for damages to growing crops, fences and livestock occurring as a result of the aforementioned operations, and as soon as weather and soil conditions permit, the Association will, insofar as it is practical to do so, restore the said lands to their condition prior to the Association's entry thereon.

2. ADDITIONAL PIPELINES

In the event the Association separately constructs additional pipelines on the said lands, it shall make every reasonable effort to obtain the approval of the Grantor.

3. ABOVE GROUND INSTALLATION

The Association shall so far as it is practical, locate any above ground installation as to provide a minimum of inconvenience to the Grantor. The Association agrees to negotiate compensation with the Grantor by separate agreement for above ground installations which cause inconvenience to the Grantor.

4. LIABILITY

The Association covenants and agrees to indemnify and save harmless the Grantor from any and all liabilities, damages, costs, claims, suits or actions caused by or resulting from the construction, operation, maintenance and/or any related fixtures and appurtenances affixed to the right of way other than through willful damage or gross negligence by the Grantor.

5. AMALGAMATION

In the event the Association is amalgamated with another Association, the utility right of way shall be retained in the name of the Association or transferred to the amalgamated entity.

6. SALE

In the event the Association sells its distribution system or a part thereof to a public or private utility company, the distribution system as built and in existence at that time only shall be transferred to the purchaser. Any new pipelines constructed shall require the Grantor's consent.

IN WITNESS WHEREOF I, the above-named Grantor, have hereunto set my hand and seal this 16 day of November, 2005

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

✓ L Hayes
WITNESS

SEAL
✓ L Hayes
SIGNATURE OF GRANTOR(s) SEAL

AFFIDAVIT OF EXECUTION

CANADA
PROVINCE OF ALBERTA
TO WIT:

)
) I, Leona Hayes
) (Name in Full)
) of the County of Parkland
) (Residence)
) in the Province of Alberta, Canada.
)
) (Occupation)
) make oath and say:

1. That I was personally present and did see

(is or are) Randall D. Allen

Named in the within instrument, are personally known to me to be the person named therein, duly sign and execute the same for the purpose named therein.

2. That the same was executed at the County of Parkland in the province of Alberta and that I am the subscribing witness thereto.

3. That I know the said Randall D. Allan and he is in my belief of the full age of eighteen years.
(he, she or each)

✓ SWORN BEFORE ME AT Parkland County
✓ IN THE PROVINCE OF ALBERTA

THIS 16 DAY OF November A.D. 2005

✓ [Signature]
A Commissioner for Oaths in and for the Province of Alberta
APPOINTMENT EXPIRES
AUGUST 1, 2007

Nota Bene - All affidavits sworn outside the Province must be sworn before a Notary Public who must affix his seal.



052529249

052529249 REGISTERED 2005 11 30
UTRW - UTILITY RIGHT OF WAY
DOC 3 OF 6 DR#: 2844987 ADR/CSEPT
LINC/S: 0028715143

**ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE**

IMAGE OF DOCUMENT REGISTERED AS:

052529250

ORDER NUMBER: 48521219

ADVISORY

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UTILITY RIGHT OF WAY

(SECTION 72 LAND TITLES ACT R.S.A. 1980, c.L-5)

WEST PARKLAND GAS CO-OP LIMITED (hereinafter referred to as the "Association"), of **STONY PLAIN, ALBERTA**.

WHEREAS the Association proposes to furnish gas service to its members in the Association's franchise area, by means of a natural gas pipeline/or pipelines and related facilities called herein the "distribution system".

AND WHEREAS for the purpose of constructing and maintaining the distribution system on the land of the undersigned, being the registered owner of a parcel of land, subject to such encumbrances, liens and interests as may be notified on existing Certificate of Title and situate in the Province of Alberta, namely:

THE NW ¼ OF SECTION 13-51-2-5 ✓

AS DESCRIBED IN C. OF T. 022313663 ✓

RESERVING THEREOUT ALL MINES AND MINERALS ✓

NOW THEREFORE in consideration of the sum of One Dollar (\$1.00) paid to me, the receipt of which is hereby acknowledged, I (WE) (hereinafter referred to as the "Grantor")

ROBERT W. ALLEN ✓

STONY PLAIN, ALBERTA

AS TO AN UNDIVIDED 2/9 INTEREST ✓

hereby grant to the Association a utility right of way for locating, constructing, maintaining and removing its distribution system including the right to carry out the necessary trimming and cutting of trees and brush, on and over such part of said lands as may be necessary from time to time. Extensions, continuations or branches of the distribution system will, where possible, and with due consideration for costs, be located according to the Grantor's wishes. The utility right of way is hereby granted for as long a period as the Association, its successors and assigns, desires and continues to maintain and operate the distribution system across the said lands.

The Grantor and the Association hereby covenant and agree to the following terms and conditions.

1. DAMAGES

The Association shall pay to the Grantor reasonable compensation for damages to growing crops, fences and livestock occurring as a result of the aforementioned operations, and as soon as weather and soil conditions permit, the Association will, insofar as it is practical to do so, restore the said lands to their condition prior to the Association's entry thereon.

2. ADDITIONAL PIPELINES

In the event the Association separately constructs additional pipelines on the said lands, it shall make every reasonable effort to obtain the approval of the Grantor.

3. ABOVE GROUND INSTALLATION

The Association shall so far as it is practical, locate any above ground installation as to provide a minimum of inconvenience to the Grantor. The Association agrees to negotiate compensation with the Grantor by separate agreement for above ground installations which cause inconvenience to the Grantor.

4. LIABILITY

The Association covenants and agrees to indemnify and save harmless the Grantor from any and all liabilities, damages, costs, claims, suits or actions caused by or resulting from the construction, operation, maintenance and/or any related fixtures and appurtenances affixed to the right of way other than through willful damage or gross negligence by the Grantor.

5. AMALGAMATION

In the event the Association is amalgamated with another Association, the utility right of way shall be retained in the name of the Association or transferred to the amalgamated entity.

6. SALE

In the event the Association sells its distribution system or a part thereof to a public or private utility company, the distribution system as built and in existence at that time only shall be transferred to the purchaser. Any new pipelines constructed shall require the Grantor's consent.

IN WITNESS WHEREOF I, the above-named Grantor, have hereunto set my hand and seal this 16 day of November, 2005

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

✓ L Hayes
WITNESS

SEAL
✓ [Signature]
SIGNATURE OF GRANTOR(S)

AFFIDAVIT OF EXECUTION

CANADA
PROVINCE OF ALBERTA
TO WIT:

)
) I, Leona Hayes
) (Name in Full)
) of the County of Parkland
) (Residence)
) in the Province of Alberta, Canada.
)
) (Occupation)

make oath and say:

(is or
are)

1. That I was personally present and did see Robert W. Allen

Named in the within instrument, are personally known to me to be the person named therein,
duly sign and execute the same for the purpose named therein.

2. That the same was executed at the County of Parkland in the
Province of Alberta and that I am the subscribing witness thereto.

(he, she
or each)

3. That I know the said Robert W. Allen
and he is in my belief of the full age of eighteen years.

SWORN BEFORE ME AT Parkland County
IN THE PROVINCE OF ALBERTA
THIS 16 DAY OF November A.D. 2005

✓ L Hayes
(Witness sign here)

✓ [Signature]
A Commissioner for Oaths in and for the Province of Alberta

Janet W. Cannon
APPOINTMENT EXPIRES
AUGUST 1, 2007

Nota Bene - All affidavits sworn outside the Province must be sworn before a Notary Public who must affix his seal.



052529250

052529250 REGISTERED 2005 11 30
UTRW - UTILITY RIGHT OF WAY
DOC 4 OF 6 DRR#: 2844987 ADR/CSEPT
LINC/S: 0028715143

**ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE**

IMAGE OF DOCUMENT REGISTERED AS:

052529251

ORDER NUMBER: 48521219

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UTILITY RIGHT OF WAY

(SECTION 72 LAND TITLES ACT R.S.A. 1980, c.L-5)

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WHEREAS the Association proposes to furnish gas service to its members in the Association's franchise area, by means of a natural gas pipeline/or pipelines and related facilities called herein the "distribution system".

AND WHEREAS for the purpose of constructing and maintaining the distribution system on the land of the undersigned, being the registered owner of a parcel of land, subject to such encumbrances, liens and interests as may be notified on existing Certificate of Title and situate in the Province of Alberta, namely:

THE NW ¼ OF SECTION 13-51-2-5✓

AS DESCRIBED IN C. OF T. 022313663✓

RESERVING THEREOUT ALL MINES AND MINERALS✓

NOW THEREFORE in consideration of the sum of One Dollar (\$1.00) paid to me, the receipt of which is hereby acknowledged, I (WE) (hereinafter referred to as the "Grantor")

ALVIN DALE ALLEN✓

STONY PLAIN, ALBERTA

AS TO AN UNDIVIDED 2/3 INTEREST✓

hereby grant to the Association a utility right of way for locating, constructing, maintaining and removing its distribution system including the right to carry out the necessary trimming and cutting of trees and brush, on and over such part of said lands as may be necessary from time to time. Extensions, continuations or branches of the distribution system will, where possible, and with due consideration for costs, be located according to the Grantor's wishes. The utility right of way is hereby granted for as long a period as the Association, its successors and assigns, desires and continues to maintain and operate the distribution system across the said lands.

The Grantor and the Association hereby covenant and agree to the following terms and conditions.

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4. LIABILITY

The Association covenants and agrees to indemnify and save harmless the Grantor from any and all liabilities, damages, costs, claims, suits or actions caused by or resulting from the construction, operation, maintenance and/or any related fixtures and appurtenances affixed to the right of way other than through willfull damage or gross negligence by the Grantor.

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In the event the Association is amalgamated with another Association, the utility right of way shall be retained in the name of the Association or transferred to the amalgamated entity.

6. SALE

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IN WITNESS WHEREOF I, the above-named Grantor, have hereunto set my hand and seal this 16 day of November, 2005.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

[Signature]
WITNESS

SEAL
[Signature]
SIGNATURE OF GRANTOR(S) SEAL

AFFIDAVIT OF EXECUTION

CANADA
PROVINCE OF ALBERTA
TO WIT:

)
) I, Leona Hayes
) (Name in Full)
) of the County of Parkland
) (Residence)
) in the Province of Alberta, Canada.
)
) (Occupation)
)
) make oath and say:

1. That I was personally present and did see

Alvin Dale Allen

(is or
are)

Named in the within instrument, are personally known to me to be the person named therein,
duly sign and execute the same for the purpose named therein.

2. That the same was executed at the County of Parkland in the
Province of Alberta - and that I am the subscribing witness thereto.

3. That I know the said Alvin Dale Allen
and he is in my belief of the full age of eighteen years.

(he, she
or each)

SWORN BEFORE ME AT Parkland County

IN THE PROVINCE OF ALBERTA

THIS 16 DAY OF November A.D. 2005

[Signature]
(Witness sign here)

[Signature]
A Commissioner for Oaths in and for the Province of Alberta

Janet McKinnon
APPOINTMENT EXPIRES
AUGUST 1, 2007

Nota Bene - All affidavits sworn outside the Province must be sworn before a Notary Public who must affix his seal.



052529251

052529251 REGISTERED 2005 11 30
UTRW - UTILITY RIGHT OF WAY
DOC 5 OF 6 DR#: 2844987 ADR/CSEPT
LINC/S: 0028715143

**ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE**

IMAGE OF DOCUMENT REGISTERED AS:

992388229

ORDER NUMBER: 48521219

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GRANT OF EASEMENT

I, (We), **WILLIAM C. ALLEN** (as to an undivided 1/18 interest) of Errington, B.C.,
ALVIN DALE ALLEN (as to an undivided 2/3 interest) of Stony Plain,
ROBERT W. ALLEN (as to an undivided 1/18 interest) of Stony Plain,
LOIS ALLEN (as to an undivided 1/6 interest) of Edmonton, and
RANDALL D. ALLEN (as to an undivided 1/18 interest) of Edmonton

the Province of Alberta, hereinafter called "the Grantor,"
 being registered as owner of an estate in fee simple, in all that certain tract of land situate in the Province of Alberta and
 being composed of:-

FIRSTLY **MERIDIAN 5 RANGE 2 TOWNSHIP 51**
SECTION 13
QUARTER NORTH WEST
AREA: 64.7 HECTARES (160 ACRES) MORE OR LESS,

SECONDLY **MERIDIAN 5 RANGE 2 TOWNSHIP 51**
SECTION 13
QUARTER NORTH EAST
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS

EACH AS DESCRIBED AND CONTAINED IN CERTIFICATE OF TITLE NO. 972 260 585 + 1.

Subject to any exceptions or reservations of mines or minerals appearing on the title, but, in any case, excepting thereout
 all mines and minerals;
 (hereinafter referred to as the "said lands")

IN CONSIDERATION of the sum of Ten Dollars (\$10.00) in lawful money of Canada or its equivalent (receipt of which
 sum the Grantor hereby acknowledges) paid or caused to be paid to the Grantor by

ATCO MIDSTREAM LTD.

(hereinafter called "the Grantee").

and the Grantee hereby covenanting to perform and observe all of the terms and conditions hereinafter mentioned on the
 part of the Grantee to be performed and observed,

DO HEREBY GRANT, TRANSFER and CONVEY unto and to the Grantee, for itself, its servants, agents and contractors,
 the right, license, liberty, privilege and easement to use so much of the said lands as may be necessary for a right-of-way
15 metres in width for the laying down, construction, operation, maintenance, inspection, removal, replacement,
 reconstruction and repair of a pipeline or lines (including Cathodic Protection Beds), together with all such stations, drips,
 valves, fittings, meters and other equipment and appurtenances as may be necessary or convenient in connection therewith,
 for the carriage, conveyance, transportation and handling of petroleum or petroleum products, water and/or gas through
 or by means of the same, and the right of ingress and egress for all purposes incidental to this grant as and from the date
 hereof and for so long hereafter as the Grantee may desire to exercise the rights and privileges hereby given, on the
 following terms and conditions:-

FIRST: Subject to Paragraph Tenth hereof, the Grantee shall, within One (1) year from date hereof, cause to be
 registered in the Land Titles Office for the Land Registration District in which the said lands are situated, a plan of survey
 showing the location of the said right-of-way, the width thereof and the area of the portion of the said lands therein
 embraced and shall, within Sixty (60) days after the registration of such plan of survey, by registrable instrument grant
 and release to the registered owner or owners for the time being of the said lands, all of the rights, license, liberty,
 privileges and easement herein and hereby granted to the Grantee **SAVE** and **EXCEPTING** insofar only as such rights,
 license, liberty, privileges and easement relate or pertain to the portion of the said lands embraced in the said right-of-way
 as delineated on the said plan of survey; **AND FURTHER** prior to the exercise of the rights hereinbefore granted shall
 pay or cause to be paid by cheque or draft of the Grantee, or of the Grantee's agent in lawful money of Canada or its
 equivalent, to the Grantor (and/or others now interested in the said lands whether a purchasers, mortgagees, encumbrances
 or otherwise, as their respective interests at the date hereof appear), by way of further monetary consideration, a sum
 calculated at the rate of _____

FIFTEEN - HUNDRED ————— Dollars (\$1500.00 per acre

of the portion of the said lands comprised in the said right-of-way.

SECOND: The Grantor shall not without the prior written consent of the Grantee, excavate, drill, install, erect or
 permit to be excavated, drilled, installed or erected on or under the said right-of-way any pit, well, foundation, pavement,
 or other structure or installation, but otherwise the Grantor shall have the right fully to use and enjoy the said right-of-way
 except as the same may be necessary for the purposes herein granted to the Grantee.

THIRD: The Grantee shall have the right to do whatever may be requisite for the enjoyment of the rights herein
 granted, including the right of clearing the said right-of-way of timber.

FOURTH: The Grantee shall compensate the Grantor and/or other interested parties, as their respective interests for
 the time being may appear, for damage done to any crops, pasture, fences, livestock and timber on the said lands also and
 including any future damages resulting from or by reason of the exercise of the rights hereinbefore granted, and the
 Grantee will not at any time fence the said right-of-way.

FIFTH: If the amount of compensation for damages cannot be agreed upon by the Grantor and Grantee, the matter in issue shall be submitted to, and determined by, three (3) disinterested arbitrators; one to be appointed by the Grantor, one by the Grantee, and the third by the two arbitrators so appointed, and the decision of any two of such three arbitrators shall be final and conclusive. PROVIDED that in all other respects, the provisions of The Arbitration Act of the Province of Alberta shall apply to each such submission.

SIXTH: The Grantee shall, as soon as weather and soil conditions permit, bury and maintain all pipelines so as not to interfere with the drainage or ordinary cultivation of the said lands.

SEVENTH: Upon the abandonment of the said right-of-way and release of all of the rights hereby granted, the Grantee shall and will restore the surface of the said lands to the same condition, so far as may be practicable so to do, as the same were in prior to the entry thereon and the use thereof by the Grantee.

EIGHTH: The Grantee covenants and agrees to indemnify and save harmless the Grantor from any and all liabilities, damages, costs, claims, suits or actions caused by or resulting from the construction, operation, maintenance and/or repairs of the said pipeline or pipelines and/or any related fixtures and appurtenances affixed to the right-of-way other than through willful damage or gross negligence by the Grantor.

NINTH: The Grantee, performing and observing the terms and conditions on its part to be performed and observed, shall and may peaceably hold and enjoy the rights, license, liberty, privileges and easement hereby granted without hindrance, molestation or interruption on the part of the Grantor or of any person, firm or corporation claiming by, through or under the Grantor.

TENTH: It is further agreed that if there be any caveat, mortgage, lien, lease or other encumbrance of whatsoever nature registered against the title to the said lands prior to the registration of these presents, and the Grantee be unable to procure a good and registrable postponement thereof in favour of this Easement, or that if the title to the said lands be not approved by the Grantee's solicitors, then, and in either such event, the Grantee may at its election, on notice in writing to the Grantor, terminate this Easement and the same thereafter shall be of no further effect and the Grantee shall stand relieved of any obligation, accruing or accrued, on the part of the Grantee under Paragraph First hereof stipulated to be performed; also, and in any event, that if the further monetary consideration in Paragraph First hereof mentioned be not paid by the Grantee within One (1) year from the date hereof, then this Easement, at the election of either party upon notice in writing to that effect given to the other, shall cease and determine and neither party thereafter shall be under any further obligation to the other in respect hereof. ALWAYS PROVIDED, however, that upon the termination of this Easement by whatsoever means or for whatsoever cause, the Grantee, if these presents shall then have been registered, shall forthwith procure, or endeavour to procure, such registration to be cancelled; and FURTHER that nothing herein contained shall be construed as relieving the Grantee from any obligation, down to the date of such termination accrued, to pay compensation for damages as hereinbefore provided.

ELEVENTH: All notices to be given hereunder may be given by personal service or by ordinary mail addressed to the Grantee at 305 - 2nd Street SW Calgary, Alberta T2P 1N7 and to the Grantor at RR 1, Stony Plain, Alberta T7Z 1X1 or such other address, in either case, as the Grantor or the Grantee respectively may from time to time appoint in writing, and any such notice shall be deemed to be given to and received by the addressee seven (7) days after the mailing thereof, postage prepaid.

TWELFTH: This Easement may be assigned in whole or in part as to all or any portion of the rights, license, liberty, privileges and easement hereby granted, transferred and conveyed.

THIRTEENTH: This Easement is and shall be of the same force and effect to all intents and purposes as a covenant running with the land, and these presents, including all the terms and conditions herein contained, shall extend to, be binding upon, and enure to the benefit of the heirs, executors, administrators, successors and assigns of the Grantor and the Grantee respectively.

FOURTEENTH: Words herein importing number or gender shall be construed in grammatical conformance with the context or the party or parties in reference.

IN WITNESS WHEREOF, the Grantor and the Grantee have executed and delivered these presents this 15th day of SEPTEMBER, A.D. 1999.

SIGNED, SEALED and DELIVERED
By the Grantor in the Presence of:

Bill Iupiah
(Witness)

Bill Iupiah
(Witness)

Bill Iupiah
(Witness)

Bill Iupiah
(Witness)

Bill Iupiah
(Witness)

William C. Allen

Alvin Dale Allen

Robert W. Allen

Lois Allen

Randall D. Allen

ATCO MIDSTREAM LTD.

Per [Signature]

RICK J. BROWDER
VICE PRESIDENT of 115
GAS GATHERING & PROCESSING
Page 2 of 7

DOWER CONSENT OF SPOUSE

I, _____ being married to the within named _____ do hereby give my consent to the disposition of our homestead, made in this instrument, and I have executed this document for the purpose of giving up my life estate and other dower rights in the said property given to me by the Dower Act, 1970, to the extent necessary to give effect to the said disposition.

CERTIFICATE OF ACKNOWLEDGEMENT BY SPOUSE

1. This document was acknowledged before me by _____, apart from her husband/his wife.
2. _____ acknowledged to me that she/he:
- (a) is aware of the nature of the disposition;
 - (b) is aware that The Dower Act, 1970, gives her/him a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent;
 - (c) Consent to the disposition for the purpose of giving up the life estate and other dower rights in the homestead given to her/him by the Dower Act, 1970, to the extent necessary to give effect to the said disposition.
 - (d) Is executing the document freely and voluntarily without any compulsion on the part of her husband/his wife.

DATED at _____, in the Province of _____ this _____ day of _____, A.D. 19_____.

A Commissioner for Oaths, in and for the Province of Alberta.

CANADA
PROVINCE OF ALBERTA
TO WIT:

DOWER AFFIDAVIT

I, _____ of _____
in the Province of Alberta, _____, make oath and say:
(occupation)

THAT I am the Lessor named in the within instrument.
THAT I am not married.

OR

THAT neither myself nor my spouse have resided on the within mentioned land at any time since our marriage.

SWORN before me at _____ }
in the Province of Alberta, this _____ }
day of _____ A.D. 1999. } _____

A Commissioner for Oaths, in and for the Province of Alberta.

CANADA
PROVINCE OF ALBERTA
TO WIT:

AFFIDAVIT OF EXECUTION

I, Bill Trefiak of Calgary
in the Province of Alberta Land Agent make oath and say:

1. THAT I was personally present and did see William C. Allen
named in the within instrument, who is personally known to me to be the person named therein duly sign, seal and execute the same for the purposes named therein.

2. THAT the same was executed at The District of ERRLINGTON,
in the Province of British Columbia, and that I am the subscribing witness thereto.

3. THAT I known the said _____ Party _____ and he (or she)
is, in my belief, of the full age of eighteen years.

SWORN before me at Calgary }
in the Province of Alberta, this _____ }
day of October A.D. 1999. } Bill Trefiak

A Commissioner for Oaths in and for the Province of Alberta.

Tamara M. Borggard
A Commissioner for Oaths in and for the
Province of Alberta
My Commission Expires
January 9, 2002

DOWER CONSENT OF SPOUSE

I, _____ being married to the within named _____ do hereby give my consent to the disposition of our homestead, made in this instrument, and I have executed this document for the purpose of giving up my life estate and other dower rights in the said property given to me by the Dower Act, 1970, to the extent necessary to give effect to the said disposition.

CERTIFICATE OF ACKNOWLEDGEMENT BY SPOUSE

1. This document was acknowledged before me by _____, apart from her husband/his wife.

2. _____ acknowledged to me that she/he:

- (a) is aware of the nature of the disposition;
- (b) is aware that The Dower Act, 1970, gives her/him a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent;
- (c) Consent to the disposition for the purpose of giving up the life estate and other dower rights in the homestead given to her/him by the Dower Act, 1970, to the extent necessary to give effect to the said disposition.
- (d) Is executing the document freely and voluntarily without any compulsion on the part of her husband/his wife.

DATED at _____, in the Province of _____ this _____ day of _____, A.D. 19 _____.

A Commissioner for Oaths, in and for the Province of Alberta.

CANADA
PROVINCE OF ALBERTA
TO WIT:

DOWER AFFIDAVIT

I, _____ of _____
in the Province of Alberta, _____, make oath and say:
(occupation)

THAT I am the Lessor named in the within instrument.
THAT I am not married.

OR

THAT neither myself nor my spouse have resided on the within mentioned land at any time since our marriage.

SWORN before me at _____
in the Province of Alberta, this _____
day of _____ A.D. 1999.

A Commissioner for Oaths, in and for the Province of Alberta.

CANADA
PROVINCE OF ALBERTA
TO WIT:

AFFIDAVIT OF EXECUTION

I, Bill Trefiak of Calgary
in the Province of Alberta, Land Consultant make oath and say:

1. THAT I was personally present and did see Alvin Dale Allen named in the within instrument, who is personally known to me to be the person named therein duly sign, seal and execute the same for the purposes named therein.

2. THAT the same was executed at The District of Stony Plain, in the Province of Alberta, and that I am the subscribing witness thereto.

3. THAT I know the said Party and he (or she) is, in my belief, of the full age of eighteen years.

SWORN before me at The City of Calgary
in the Province of Alberta, this 20th
day of Sept. A.D. 1999.

Tamara M. Borggard
A Commissioner for Oaths, in and for the Province of Alberta.

Tamara M. Borggard
A Commissioner for Oaths in and for the Province of Alberta
My Commission Expires
January 9, 2002

DOWER CONSENT OF SPOUSE

I, _____ being married to the within named _____ do hereby give my consent to the disposition of our homestead, made in this instrument, and I have executed this document for the purpose of giving up my life estate and other dower rights in the said property given to me by the Dower Act, 1970, to the extent necessary to give effect to the said disposition.

CERTIFICATE OF ACKNOWLEDGEMENT BY SPOUSE

1. This document was acknowledged before me by _____, apart from her husband/his wife.

2. _____ acknowledged to me that she/he:

- (a) is aware of the nature of the disposition;
- (b) is aware that The Dower Act, 1970, gives her/him a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent;
- (c) Consent to the disposition for the purpose of giving up the life estate and other dower rights in the homestead given to her/him by the Dower Act, 1970, to the extent necessary to give effect to the said disposition.
- (d) Is executing the document freely and voluntarily without any compulsion on the part of her husband/his wife.

DATED at _____, in the Province of _____ this _____ day of _____, A.D. 19____.

A Commissioner for Oaths, in and for the Province of Alberta.

CANADA
PROVINCE OF ALBERTA
TO WIT:

DOWER AFFIDAVIT

I, _____ of _____
in the Province of Alberta, _____, make oath and say:
(occupation)

THAT I am the Lessor named in the within instrument.
THAT I am not married.

OR

THAT neither myself nor my spouse have resided on the within mentioned land at any time since our marriage.

SWORN before me at _____
in the Province of Alberta, this _____
day of _____ A.D. 1999.

}

}

A Commissioner for Oaths, in and for the Province of Alberta.

CANADA
PROVINCE OF ALBERTA
TO WIT:

AFFIDAVIT OF EXECUTION

I, Bill Trefiak of Calgary
in the Province of Alberta Land Consultant make oath and say:

1. THAT I was personally present and did see Robert W. Allen
named in the within instrument, who is personally known to me to be the person named therein duly sign, seal and execute the same for the purposes named therein.

2. THAT the same was executed at The District of Stony Plain, in the Province of Alberta, and that I am the subscribing witness thereto.

3. THAT I known the said Party and he (or she) is, in my belief, of the full age of eighteen years.

SWORN before me at The City of Calgary
in the Province of Alberta, this 20th
day of Sept, A.D. 1999.

}
Bill Trefiak
}

Tamara M. Borggard
A Commissioner for Oaths, in and for the Province of Alberta.

Tamara M. Borggard
A Commissioner for Oaths in and for the Province of Alberta
My Commission Expires
January 9, 2002

DOWER CONSENT OF SPOUSE

I, _____ being married to the within named _____ do hereby give my consent to the disposition of our homestead, made in this instrument, and I have executed this document for the purpose of giving up my life estate and other dower rights in the said property given to me by the Dower Act, 1970, to the extent necessary to give effect to the said disposition.

CERTIFICATE OF ACKNOWLEDGEMENT BY SPOUSE

1. This document was acknowledged before me by _____, apart from her husband/his wife.

2. _____ acknowledged to me that she/he:

- (a) is aware of the nature of the disposition;
- (b) is aware that The Dower Act, 1970, gives her/him a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent;
- (c) Consent to the disposition for the purpose of giving up the life estate and other dower rights in the homestead given to her/him by the Dower Act, 1970, to the extent necessary to give effect to the said disposition.
- (d) Is executing the document freely and voluntarily without any compulsion on the part of her husband/his wife.

DATED at _____, in the Province of _____ this _____ day of _____, A.D. 19 _____.

A Commissioner for Oaths, in and for the Province of Alberta.

CANADA
PROVINCE OF ALBERTA
TO WIT:

DOWER AFFIDAVIT

I, _____ of _____, make oath and say:
in the Province of Alberta, _____ (occupation)

THAT I am the Lessor named in the within instrument.
THAT I am not married.

OK

THAT neither myself nor my spouse have resided on the within mentioned land at any time since our marriage.

SWORN before me at _____
in the Province of Alberta, this _____
day of _____ A.D. 1999.

A Commissioner for Oaths, in and for the Province of Alberta.

CANADA
PROVINCE OF ALBERTA
TO WIT:

AFFIDAVIT OF EXECUTION

I, Bill Trefiak of Calgary
in the Province of Alberta Land Consultant make oath and say:

1. THAT I was personally present and did see Lois Allen named in the within instrument, who is personally known to me to be the person named therein duly sign, seal and execute the same for the purposes named therein.

2. THAT the same was executed at The City of Edmonton, in the Province of Alberta, and that I am the subscribing witness thereto.

3. THAT I know the said Party and he (or she) is, in my belief, of the full age of eighteen years.

SWORN before me at The City of Calgary
in the Province of Alberta, this 20th
day of Sept. A.D. 1999.

Tamara M. Borggard
A Commissioner for Oaths, in and for the Province of Alberta.

Tamara M. Borggard
A Commissioner for Oaths, in and for the Province of Alberta
My Commission Expires
January 9, 2002

DOWER CONSENT OF SPOUSE

I, _____ being married to the within named _____ do hereby give my consent to the disposition of our homestead, made in this instrument, and I have executed this document for the purpose of giving up my life estate and other dower rights in the said property given to me by the Dower Act, 1970, to the extent necessary to give effect to the said disposition.

CERTIFICATE OF ACKNOWLEDGEMENT BY SPOUSE

1 This document was acknowledged before me by _____, apart from her husband/his wife _____

2. _____ acknowledged to me that she/he:

- is aware of the nature of the disposition;
- is aware that The Dower Act, 1970, gives her/him a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent;
- Consent to the disposition for the purpose of giving up the life estate and other dower rights in the homestead given to her/him by the Dower Act, 1970, to the extent necessary to give effect to the said disposition.
- Is executing the document freely and voluntarily without any compulsion on the part of her husband/his wife.

DATED at _____, in the Province of _____ this _____ day of _____, A.D. 19 _____.

A Commissioner for Oaths, in and for the Province of Alberta.

CANADA
PROVINCE OF ALBERTA
TO WIT:

DOWER AFFIDAVIT

I, _____ of _____
in the Province of Alberta, _____, make oath and say:
(occupation)

THAT I am the Lessor named in the within instrument.
THAT I am not married.

OR

THAT neither myself nor my spouse have resided on the within mentioned land at any time since our marriage.

SWORN before me at _____
in the Province of Alberta, this _____
day of _____ A.D. 1999.

A Commissioner for Oaths, in and for the Province of Alberta.

CANADA
PROVINCE OF ALBERTA
TO WIT:

AFFIDAVIT OF EXECUTION

I, Bill Trefiak of Calgary
in the Province of Alberta, Land Consultant make oath and say:

1. THAT I was personally present and did see Randall D. Allen
named in the within instrument, who is personally known to me to be the person named therein duly sign, seal and execute the same for the purposes named therein.

2. THAT the same was executed at The City of Edmonton, in the Province of Alberta, and that I am the subscribing witness thereto.

3. THAT I know the said Party and he (or she) is, in my belief, of the full age of eighteen years.

SWORN before me at The City of Calgary
in the Province of Alberta, this _____
day of _____ A.D. 1999.

A Commissioner for Oaths, in and for the Province of Alberta.

Tamara M. Borggare
A Commissioner for Oaths in and for the Province of Alberta
My Commission Expires
January 9, 2002

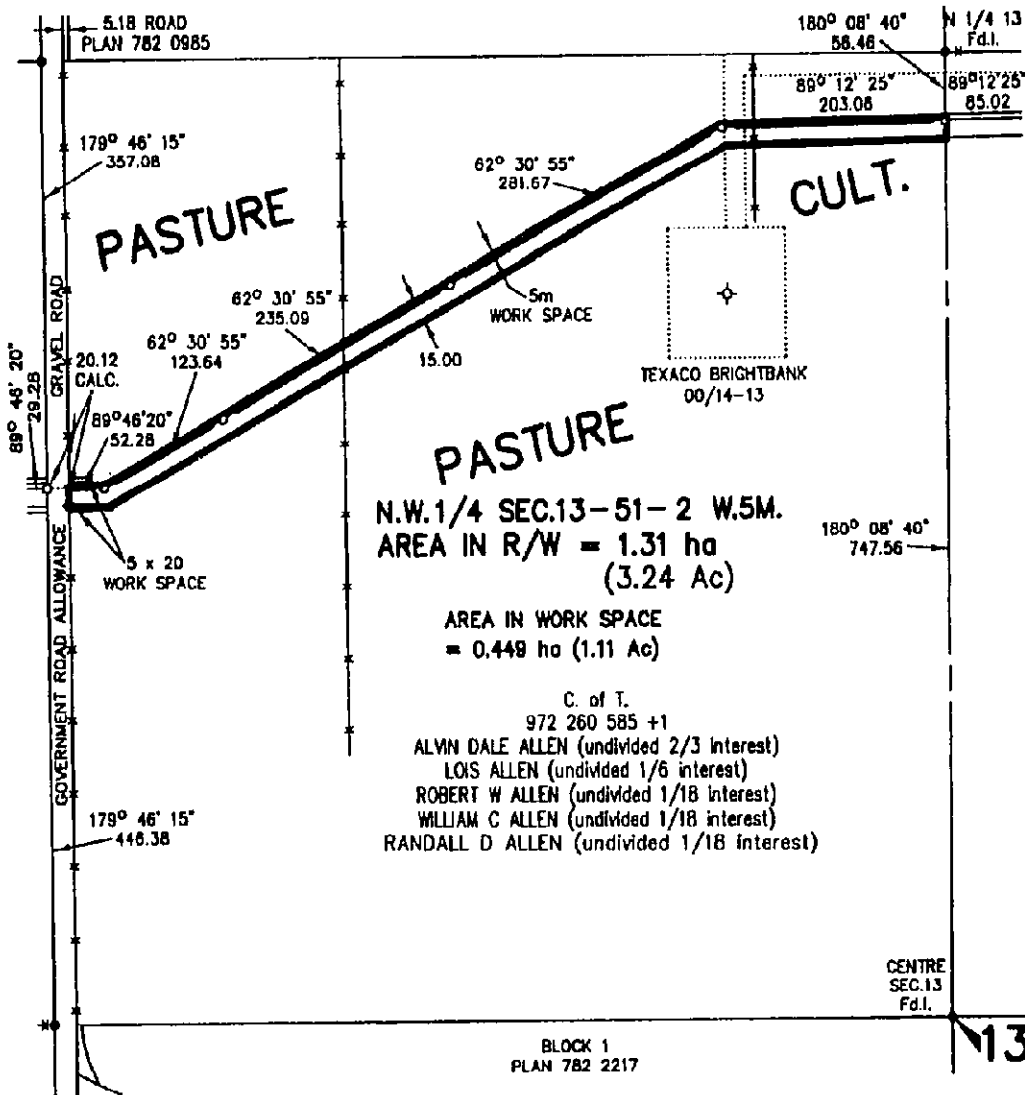
ATCO MIDSTREAM LTD.

INDIVIDUAL OWNERSHIP PLAN

Showing PIPE LINE RIGHT-OF-WAY

In the N.W.1/4 Section 13 Township 51 Range 2 West of the 5 Meridian

Scale 1 : 5000



OWNER : ALVIN DALE ALLEN (undivided 2/3 interest)
LOIS ALLEN (undivided 1/6 interest)
ROBERT W ALLEN (undivided 1/18 interest)
WILLIAM C ALLEN (undivided 1/18 interest)
RANDALL D ALLEN (undivided 1/18 interest)

TITLE NUMBER : 972 260 585 +1

AREA REQUIRED : 1.31 ha
3.24 Ac

I/We agree to the location of the Right-of-way and have no objections to the E.U.B. Issuing a permit for same.

Date : SEPT. 15, 1997.

Owner : ALVIN DALE ALLEN

February 5, 2024 - SDAB Appeal - PLS 20230724

Legend

Monuments found shown thus _____ ●
Monuments planted shown thus _____ ○
Portion referred to outlined thus _____
Work Space shown thus _____

For additional information see construction plan.

Certified Correct



ALL-CAN ENGINEERING
& SURVEYS (1976) LTD.

JOB No. : 99-0706.1 of 3

DWG No. : 9706010

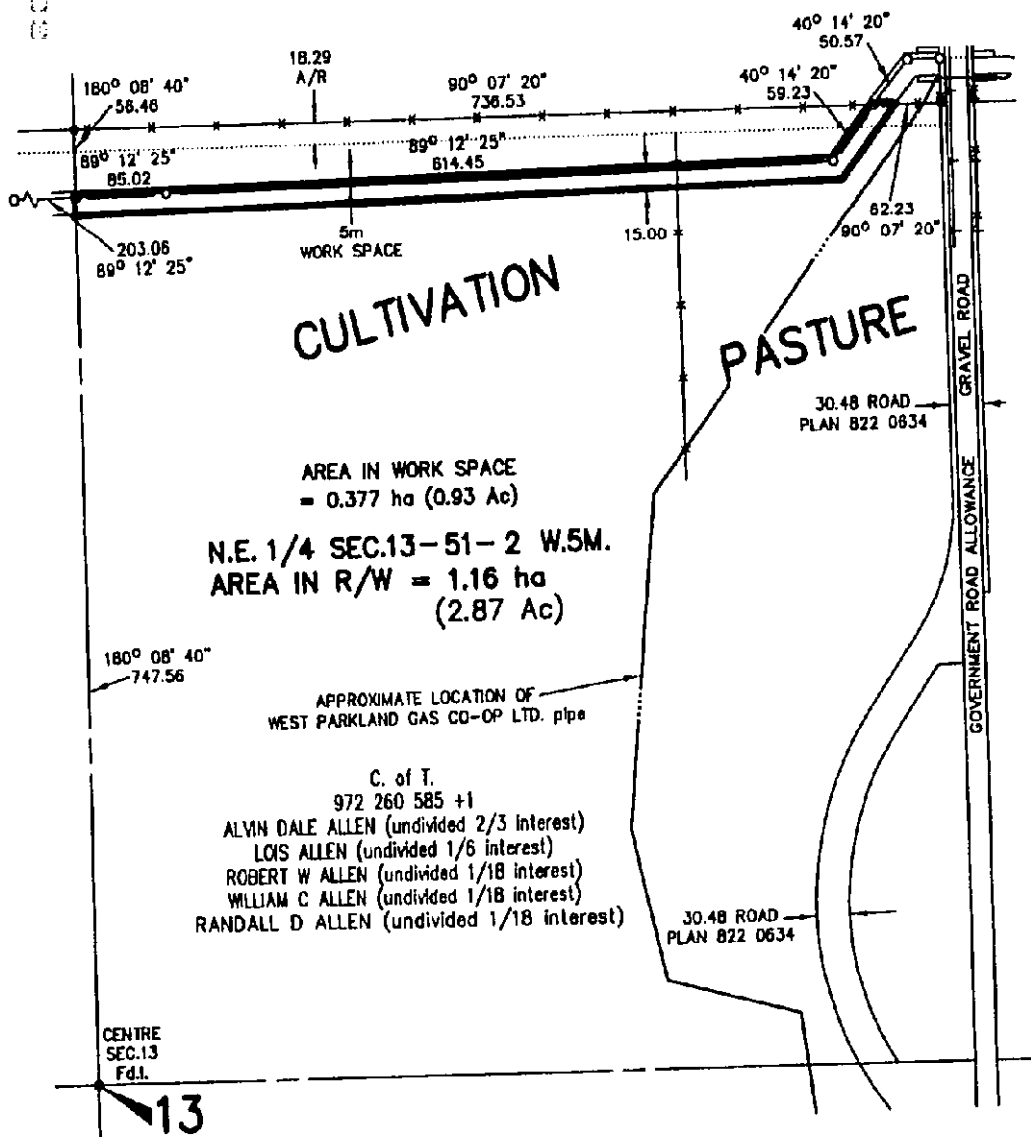
DATE : 1/05/99

ALS



ATCO MIDSTREAM LTD. INDIVIDUAL OWNERSHIP PLAN

Showing PIPE LINE RIGHT-OF-WAY
in the N.E. 1/4 Section 13 Township 51 Range 2 West of the 5 Meridian
Scale 1 : 5000



OWNER : ALVIN DALE ALLEN (undivided 2/3 interest)
LOIS ALLEN (undivided 1/6 interest)
ROBERT W ALLEN (undivided 1/18 interest)
WILLIAM C ALLEN (undivided 1/18 interest)
RANDALL D ALLEN (undivided 1/18 interest)

TITLE NUMBER : 972 260 585 +1

AREA REQUIRED : 1.16 ha
2.87 Ac

I/We agree to the location of the Right-of-way and have
no objections to the E.U.B. issuing a permit for same.

Date : SEPT. 15, 1999.

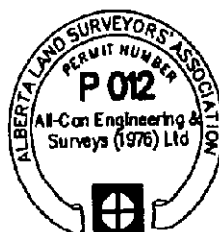
Owner : [Signature]

February 5, 2024, SDAB Appeal - PLSP2024073

Legend

Monuments found shown thus
Monuments planted shown thus
Portion referred to outlined thus
Work Space shown thus
For additional information see construction plan.

Certified Correct



ALL-CAN ENGINEERING
& SURVEYS (1976) LTD.

JOB No. : 89-0708, 1 of 3

DWG No. : 97081010

Page 59 of 11/99/99

ALS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/10/2001 BY 60322
DECLASSIFICATION AUTHORITY
DERIVED FROM: 25X

3/

**ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE**

IMAGE OF DOCUMENT REGISTERED AS:

992390952

ORDER NUMBER: 48521219

ADVISORY

This electronic image is a reproduction of the original document registered at the Land Titles Office. Please compare the registration number on this coversheet with that on the attached document to ensure that you have received the correct document. Note that Land Titles Staff are not permitted to interpret the contents of this document.

Please contact the Land Titles Office at (780) 422-7874 if the image of the document is not legible.

CAVEAT FORBIDDING REGISTRATION

To the Registrar of the North Alberta Land Registration District

Take Notice that **ATCO MIDSTREAM LTD.**, a body Corporate

of the City of CALGARY in the Province of Alberta,

claims an interest in the following described lands under and by virtue of a Surface Lease, for a Valvesite containing 0.07 acres, made in writing and dated the 3rd day of November, 1999, between **ALVIN DALE ALLEN, LOIS ALLEN, ROBERT W. ALLEN, WILLIAM C. ALLEN AND RANDALL D. ALLEN** of RR 1 Stony Plain, Alberta T7Z 1X1 as Lessor and the said **Atco Midstream Ltd.** as Lessee. The said Valvesite is shown on the plan attached hereto marked Exhibit "A".

in

**MERIDIAN 5 RANGE 2 TOWNSHIP 51
SECTION 13
QUARTER NORTH WEST
EXCEPTING THEREOUT ALL MINES & MINERALS
AND THE RIGHT TO WORK THE SAME
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS**

as more particularly described in certificate of title 972 260 585 + 1 standing in the registrar in the name of

ALVIN DALE ALLEN, LOIS ALLEN, ROBERT W. ALLEN, WILLIAM C. ALLEN AND RANDALL D. ALLEN
and it forbids the

registration of any person as transferee or owner of, or of any instrument affecting the said estate or interests

unless the instrument or certificate of title, as the case may be, is expressed to be subject to its claim.

It Appoints **ATCO MIDSTREAM LTD. 305 - 2ND Street SW, Calgary, Alberta T2P 1N7**
as the place at which notices and

proceedings relating hereto may be served.

Dated this 20th day of December, 1999

ATCO MIDSTREAM LTD.

by its Agent:

McNally Land Services Ltd.

Per: _____

Robert J. Telford, Land Consultant

Canada) I, ROBERT J. TELFORD
Province of Alberta) of the City of Calgary
To Wit:) in the Province of Alberta Land Consultant
(Occupation)

make oath and say as follows:

1. I am the agent for the above-named Caveator.
2. I believe that the said Caveator has a good and valid claim upon the said land and I say that this Caveat is not being filed for the purposes of delaying or embarrassing any person interested in or proposing to deal therewith.

Sworn before me at the City
of Calgary
in the Province of Alberta
this 20th day of December
1999.


Dianne M. McKay A Commissioner for Oaths
in and for the Province of Alberta

MY COMMISSION EXPIRES 01/30 AD. 2001

RE

Caveat

I certify that the within instrument is duly
Entered and Registered in the Land Titles
Office for the Alberta Land
Registration District of
Province of Alberta.

Registrar
A.L.R.D.

Solicitor's File No.

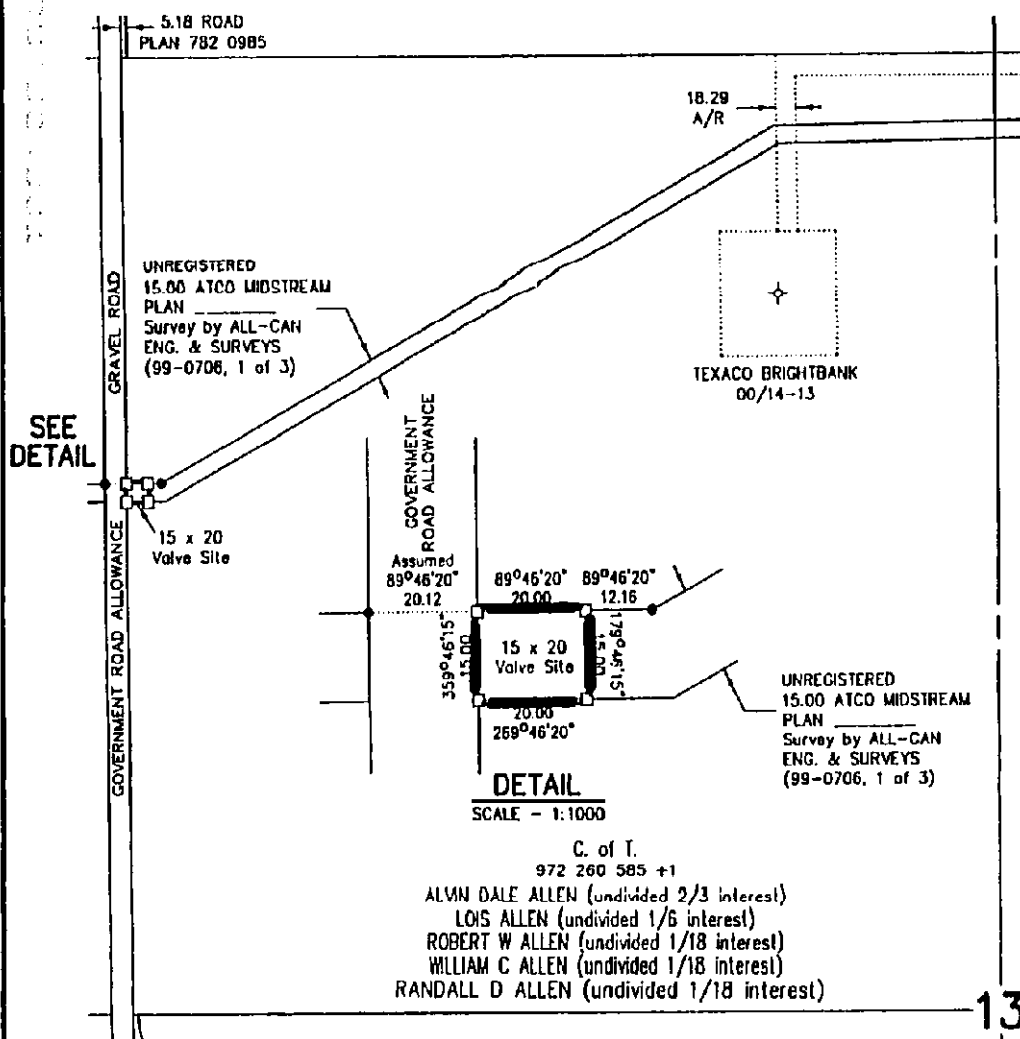
Canada) I,
Province of Alberta) of the of
To Wit:) in the Province of Alberta

(Occupation)
make oath and say as follows:

1. I am the within Caveator.
2. I believe that I have a good and valid claim upon the said land and I say that this Caveat is not being filed for the purpose of delaying or embarrassing any person interested in or proposing to deal therewith.

Sworn before me at the
of
in the Province of Alberta
this day of
1998.

A Commissioner for Oaths



13

I (we) have no objection to location of
proposed Well site & Access Roadway or
the A.E.U.B. issuing the Lessee a
Drilling Licence for the said Well.

Dated this 2 day of NOV. A.D.
1997.

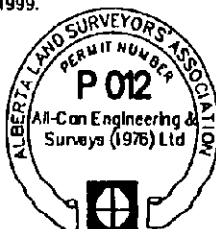
PLAN SHOWING LOCATION OF
VALVE SITE

IN N.W.1/4 SEC. 13 TWP. 51 RGE. 2 W. 5 M.

I, Peter D. Brown, Alberta Land Surveyor, of High River
Alberta, certify that the survey represented by this plan
is true and correct to the best of my knowledge, has been
carried out in accordance with the Alberta Land Surveyors'
Association Manual of Standard Practice, and was completed
on the 28th day of October, AD 1999.

Peter D. Brown
Alberta Land Surveyor

Camron Hartnell
Witness (Camron Hartnell)



AREAS:
Valve Site ha Ac
 0.030 0.07

LEGEND:

Statutory Iron Survey Post Found shown thus: Found.....▲
Iron Spike shown thus: Placed.....▲ Found.....▲
Wooden Hub shown thus: Placed.....□ Found.....■
Portions referred to shown thus: Found.....■
Distances are in metres and decimals thereof.

REVISION

For: ATCO MIDSTREAM LTD.

992390952 REGISTERED 1999 12 30
CAVEAT - CAVEAT
DOC 1 OF 4 DRR#: 8450425 ADDR/UDY
LINC/S: 0021808539

CERTIFICATE

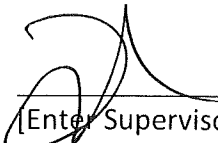
(S.21 Land Titles Act, R.S.A. 2000, c. L-4)

I, hereby certify that the instrument or caveat bearing Land Titles and Surveys registration\serial number:

[5574 VE]

can not be produced by reason that it has been destroyed, lost or cannot be found and another record of the instrument or caveat has not been made.

A person having an interest in land affected by the instrument or caveat may apply to the court for an order dealing with the instrument or caveat in any manner that the court considers appropriate.


[Enter Supervisor Name] Team Lead & Technical Advisor
Assistant Deputy Registrar
North Alberta Land Registration District





Planning & Development Services

October 18, 2023



Sent by email: [REDACTED]

Dear D [REDACTED]

RE: Subdivision Application No.: PLSP20230732 - **Deemed Complete**
Subject Property: W5-2-51-13-NE

We acknowledge receipt of your proposed subdivision application and accompanying material accepted for evaluation and processing by Parkland County Planning & Development Services on October 18, 2023.

Pursuant to the *Municipal Government Act* 2000 Chapter M-26, your application will now be referred for comments to various government agencies, utility companies, and adjacent landowners. Any comments submitted are to be received before **November 08, 2023**.

At the end of the 21 day referral period, we will contact you to share our comments and explain additional information (if required), and provide you with the opportunity to submit that information. Once we have completed our evaluation and have received comments and any deficiencies have been corrected, your Tentative Plan of Subdivision will be processed for decision by the Subdivision Approval Authority. Parkland County is required to render decisions on subdivision applications within 60 days of the date of this letter; should extra time be required, a time extension will be requested by the County.

In the meantime, if you have any questions or concerns, please contact the undersigned at Roya.Karimi-Boushehri@parklandcounty.com or 780-968-8888 Extn.8304.

Sincerely,

RKarimiB

Roya Karimi-Boushehri
Planner I, Current Planning



Planning & Development Services
Phone: 780-968-8888 Fax: 780-968-8444

October 18, 2023

File No. PLSP20230732

«NANAME» / «NANAME1A»
«NAADD1»
«NAADD2»
«NAADD3»
«NACITY», «NAAPRV» «NAPSTC»

Dear Sir/Madam:

Subject: Proposed Subdivision - NE-13-51-2-5

A subdivision application has been received by Parkland County Planning & Development Services ("Planning Services") for the property located at 51222 RGE RD 20. The subdivision application no. PLSP20230732 proposes to create one residential parcel.

PROPOSED SUBDIVISION PARCEL DETAILS	
Lot Number	Approximate Land Area
Lot 1	8.10 ha (20.00 ac)

Parkland County Land Use Bylaw No. 2017-18 sets permitted and discretionary land uses for each district. The land use associated with the proposed subdivision is a permitted use in the Agricultural General (AGG) Land Use District.

Please note this letter is being provided as a courtesy to nearby residents for your information. Decisions regarding subdivisions are made by the County's Subdivision Approving Authority in accordance with the Municipal Government Act (RSA 2000) and the Subdivision and Development Regulation (44/2002).

Any comments you wish to provide by **November 8, 2023** will be taken into consideration when the Subdivision Approving Authority makes its decision. However, all decisions are made first and foremost in accordance with provincial legislation. Decisions cannot be appealed by residents.

Please be advised that comments you submit, either orally or in writing, may be recorded and made public, subject to the provisions of the Freedom of Information and Protection of Privacy Act.

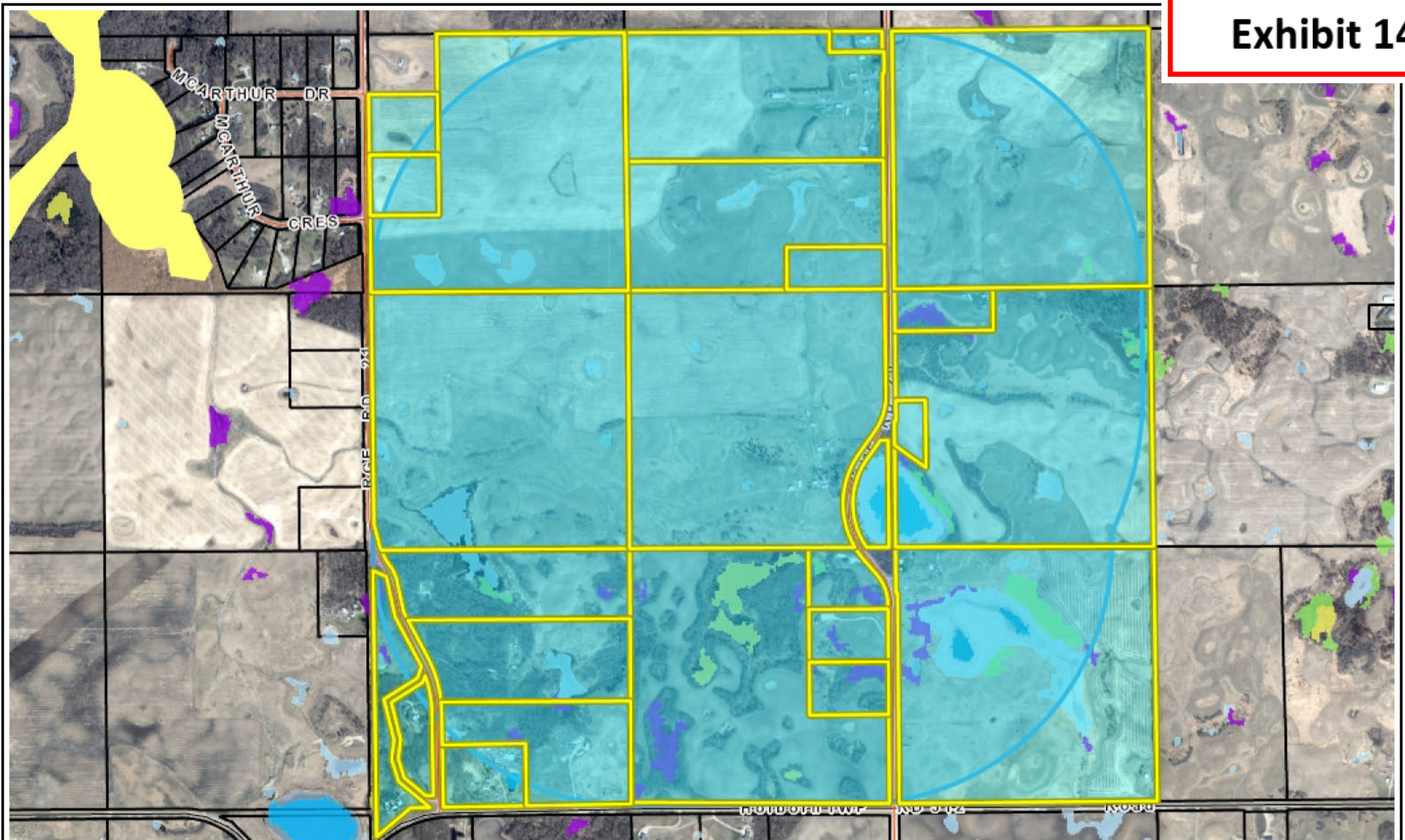
If you have any questions or comments please contact the undersigned at 780-968-8888 ext. 8304., email roya.karimi-boushehri@parklandcounty.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Roya Karimi-Boushehri".

Roya Karimi-Boushehri
Planner I, Current Planning

Encl: Location Map & Tentative Plan of Subdivision



TXROLL	TXONA#	NANAME	NAADD1	NAADD2	NAADD3	NAADD4	NACITY	NAAPRV	NACNTR	NAPSTC	NANAME1 LGL	SUB	PBL	MUNADD
		Baron, Luke							Canada					
		Becic, Greg Mark							Canada					
		Berry, Manda							Canada					
		Hardman, Keith							Canada					
		Manning, James L							Canada					
		McFadyen, Donald							Canada					
		Nordstrom, Greg							Canada					
		Rhodenizer, Engeli							Canada					
		Rhodenizer, Kenne							Canada					
		Sloan, David R							Canada					
		Taylor, Harvey H							Canada					
		Taylor, Kenneth							Canada					
		Free Rein Resource							Canada					



File No.: PLSP20230732

October 18, 2023

To:

Alberta Energy Regulator
AltaLink
Alberta Health Services
Canada Post
Alberta Environment
Alberta Environment & Parks - Wetlands

ESRD (Water Act)
Fortis Alberta
Parkland School Division
TELUS
West Parkland Gas Co-op
Evergreen Catholic School Division
Free Rein Resources LTD.

RE: Proposed Subject Application – Subject Property – W5-2-51-13-NE

A subdivision application has been received by Parkland County Planning & Development Services ("Planning Services") for the property located at 51222 RGE RD 20. The subdivision application no. PLSP20230732 proposes to create 1 new subdivision parcel:

Proposed Subdivision Parcel Details	
Lot Number	Approximate Land Area
Lot Number 1	8.10 ha (20.00 ac)

Parkland County Land Use Bylaw No. 2017-18 sets permitted and discretionary land uses for each district. The land uses associated with the proposed subdivision is permitted use in the Agricultural General District.

Please note this application is being referred to you in accordance with Sections 653 of the *Municipal Government Act* in that it may affect your interests. Subdivision decisions are made by the Parkland County Subdivision Authority in accordance with the *Municipal Government Act* (RSA 2000) and the Subdivision and Development Regulation (44/2002).

Please review the application information provided and submit your comments, concerns, or objections in writing to the undersigned before **November 8, 2023**. If no written comments, concerns, or objections are received from you by the deadline, Planning Services will consider that you have no objections, comments, or concerns. As part of this public consultation anything you submit, either orally or in writing, may be recorded and made public, subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

If you have questions, please contact the undersigned at 780-968-8888 ext. 8304 or roya.karimi-boushehri@parklandcounty.com.

Sincerely,

Roya Karimi-Boushehri, Current Planner I

Encl: Subdivision Application Details
Location Map
Tentative Plan of Subdivision

53109A Hwy 779 Parkland County, AB Canada T7Z 1R1
T 780.968.8888

parklandcounty.com

Subdivision Application Details	
As submitted by the applicant on October 3, 2023	
LOCATION	
Does either parcel contain or is it bounded by a river, stream, lake, or other body of water or by a drainage ditch or canal?	NO
Is either parcel within 1.5 kilometers of a sour gas facility?	False
Are there any underground storage tanks on either parcel?	False
EXISTING PROPERTY	
Existing use of the land.	Agricultural General District
Proposed use of the land.	Agricultural General District
Topography of land.	Mixed
Vegetation and water on land.	Brush, Shrubs, Tree Stands
Buildings and structures on the existing property and whether they are to be demolished or moved.	House, Shop, Quonset, two (2) Barns, two (2) equipment Sheds, Pole Shed
SERVICES	
Existing on-site water supply.	Well
Proposed on-site water supply.	None
Existing on-site sewage disposal.	Holding Septic Tank & Hauling
Proposed on-site sewage disposal.	None
ABANDONED WELLS	
Are there any abandoned wells within the titled area?	According to AER Web Viewer, there are NO abandoned well sites or pipelines within the titled area.



File Number: PLSP20230732

Legal: W5-2-51-13-NE

Applicant: [REDACTED]

SUBDIVISION APPLICATION PROCESSING TIME EXTENSION AGREEMENT

I, [REDACTED] being fully aware of my rights under Section 6 of the Subdivision and Development Regulation and Section 681 of the Municipal Government Act do hereby on my own volition agree to an extension of the subdivision processing time period from the normal 60 days as follows:

The 60-day deemed refused date was Sunday, December 17, 2023

The deemed refusal date will now be Sunday, January 28, 2024

[REDACTED]

Applicant

Accepted by Parkland County on this 8 day of December 2023, 2021.

RKarimiB

PLANNER

[REDACTED]

[REDACTED]

[REDACTED]

Your File:

[REDACTED]

Our File: 23209

13 October 2023

Parkland County
53109A Highway 779
Parkland County, AB T7Z 1R1
Attn: Planning & Development Services

Re: Proposed Subdivision in,
N.E. ¼ Sec. 13 – Twp. 51 – Rge. 2 – W5M

This letter was prepared by [REDACTED], who has been appointed to act as agent for the Registered Landowner [REDACTED] who is the registered landowner of NE 13-51-2-W5M.

Parkland County encourages landowners and developers to provide a written rationale to support the proposed subdivision application for 8.10 Hectares (20 Acres) versus two (2) 4.05 Hectares (10 Acre) parcels as per Parkland County's Land Use Bylaw. The Purpose of this Letter is to provide an effective framework to evaluate development proposals compliant with key planning policy and provide a guiding framework to support the proposed Subdivision in Parkland County.

The proposed subdivision is zoned Agricultural General District Parcel with its purpose to heighten agricultural production while accommodating a variety of supportive and well-suited land uses. This parcel of land is considered Prime Agricultural Area South East (PASE) as per Parkland County's Municipal Development Plan 4.2 which preserves "Prime Area South East aims to preserve large tracts of land for larger farm operations (grains, vegetables, livestock, etc.) while promoting diversification and expansion into new agricultural sectors." Mr. [REDACTED] currently resides on the parcel of the proposed subdivision and is very important to Mr. [REDACTED]. Robert Allen would like to create the 8.10 Hectares (20 Acres) proposed parcel in hopes that one of his children will be interested in residing and operating their own farmstead in the future. This is vital and is supported by Parkland County's Municipal Development Plan 2.3 which states that "Protecting key open spaces and agricultural areas will ensure the resources needed to feed and build the region are maintained for future generations while supporting the ability of agricultural areas and hamlets to attract and retain residents and businesses."

Mr. [REDACTED] would be compelled to amalgamate the two (2) 4.05 Hectares (10 Acres) parcels following the completion of the proposed subdivision if the proposed subdivision application for 8.10 Hectares (20 Acres) is not initially approved. This would incur additional costs and financial hardship to have the amalgamation be registered at the Land Titles Office. Similarly, the proposed subdivision application for two (2) 4.05 Hectares (10 Acres) parcels would also incur additional financial hardship as Pursuant to Section 655 of the Municipal Government Act.

The Municipal Government Act maintains “A subdivision authority may impose the following conditions, or any other conditions permitted to be imposed by the subdivision and development regulations on a subdivision approval issued” and encompasses that the registered landowner will be required to complete the following with respect to approaches and ditching to ensure the existing field approach and culverts meets Engineering Standards for proposed Lot 2. Relatedly Pursuant to Parkland County Bylaw No. 2015-30, the parcels will need to be numbered using Parkland County’s civic addressing system and would need to purchase the address sign. These conditions of approval would once again be an unnecessary condition of approval and expense causing financial hardship as the proposed lot 2 will not exist following the amalgamation of the two proposed parcels.

The proposed subdivision is designed in a manner that respects natural resources, including but not limited to soils, and vegetation. The proposed land use and development concept for the subject property is consistent with the growth management strategy and land use concept as envisioned in the Municipal Development Plan and Land Use Bylaw to safeguard and improve the County’s important agricultural land base while supporting a robust rural economy and vibrant rural lifestyle. This project will abide by and coincide with the Land Use Bylaw district and its corresponding regulations as well as Parkland County’s Municipal Development Plan. The anticipated development of the subdivision would not interfere with farming operations on adjoining or reasonably adjacent properties, due to adequate buffering or separation of the development from the proposed parcel including the remnant parcel. The proposed parcel has an existing approach with physical access to the developed Range Road 20 and the addition of a single-family residence would not adversely increase traffic impacts on County roads.

The parent and proposed parcel would be zoned Agricultural General District (AG) to allow for the proposed subdivision and would adapt and support a changing agricultural industry and associated rural lifestyles. The Proposed Subdivision would not impact the preservation of an area’s rural character and scenic qualities, and common lands are marketed as a direct means to invest in and benefit from conservation that will produce significant added value to the individual properties from the open space. Providing approval of the proposed subdivision application for 8.10 Hectares (20 Acres) for this property will also provide an opportunity for future family members or someone working in the area to reduce their commute. It would also allow them to expose their family to an active farming community to which they would be able to positively contribute.

The registered Landowner [REDACTED] will adhere to the minimum service requirements. The Sanitary sewage shall be provided in compliance with the Alberta Private Sewage Systems Standard of Practice and to the Satisfaction of the Development Authority. For all developments, the availability and suitability of on-site water shall be confirmed and shall be licensed according to the provisions of the Water Act.

The Subdivision Application is now being presented for Parkland County’s review, consideration, public presentation (If Applicable), and approval. We have confidence that this document will provide for successful ongoing development to meet the goals of the Municipal Development Plan, the Land Use Bylaw, the community, Parkland County, and the registered landowner.

I trust this is what you require.
Yours truly,

[REDACTED]

For:

[REDACTED]

From: Roya Karimi-Boushehri
Sent: October 5, 2023 1:28 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Application Incomplete - PLSP20230732

Hi [REDACTED],

They can apply for 20 acres and provide a written rationale/variance request for why they are proposing an oversized residential parcel.

If the variance is not accepted then the Subdivision Authority may choose to conditionally approve the parcel, but with a condition requiring it to only 10 acres. Following that, your client could choose to appeal the condition.

If a written rationale/variance request is to be created, please submit it with the other documents listed in the incomplete letter.

Let me know if you have any questions.

Thank you,

Roya Karimi-Boushehri, MSc URP (she/her) | Planner I, Current Planning | Parkland County |
53109A HWY 779, Parkland County, Alberta T7Z 1R1
Office: 780-968-8888 ext. 8304 | roya.karimi-boushehri@parklandcounty.ca |
www.parklandcounty.com



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From: [REDACTED]
Sent: Thursday, October 5, 2023 12:22 PM
To: Roya Karimi-Boushehri <Roya.Karimi-Boushehri@parklandcounty.com>

Cc: [REDACTED] >
Subject: RE: Application Incomplete - PLSP20230732

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Hi Roya,

Yes, I noticed the error with the area amount when I put the file back into our drafting department and made a note, thank you.

Our client is aware that residential parcels must be between 2-10 acres as he did meet with Julia Leduc in June 2023 however he would like to apply for the 20 acres regardless and is willing to appeal the decision.

My question would be will the application be processed for the 20 acres or would it be deemed refused from the start? Please advise and have a great afternoon.

*I Trust This Is What You Require.
Thank you,*

[REDACTED]



[REDACTED]

[REDACTED]

T7N 1A1
(780) 674-2287
(780) 674-5071 (FAX)

[REDACTED]

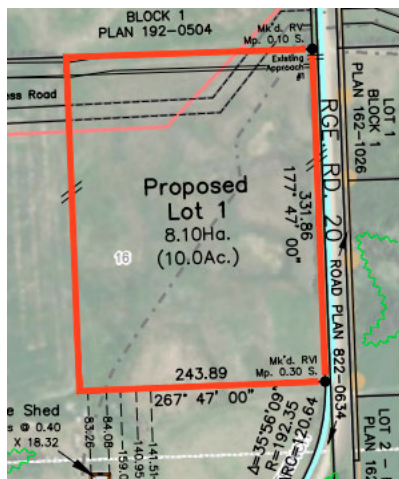
From: Roya Karimi-Boushehri <Roya.Karimi-Boushehri@parklandcounty.com>
Sent: Thursday, October 5, 2023 11:06 AM
To: [REDACTED]
Subject: RE: Application Incomplete - PLSP20230732

Hi [REDACTED]

I see, that is frustrating!

Also, I just noticed that the Tentative Plan submitted for this application provides conflicting information about the proposed parcel size. The physical size of the parcel appears to be 20 acres, which is indicated by the 8.10 hectares, but then 10.00 acres is listed in brackets. I've included a screenshot below.

Please confirm what the proposed parcel is to be, and note that as per the Land Use Bylaw, residential parcels must be between 2-10 acres.



Let me know if you have any questions.

Thanks!

Roya Karimi-Boushehri, MSc URP (she/her) | Planner I, Current Planning | Parkland County |
53109A HWY 779, Parkland County, Alberta T7Z 1R1
Office: 780-968-8888 ext. 8304 | roya.karimi-boushehri@parklandcounty.ca |
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From: [REDACTED]
Sent: December 8, 2023 9:17 AM
To: Roya Karimi-Boushehri; [REDACTED]
Cc: [REDACTED]
Subject: RE: Tentative Plan Revisions - PLSP20230732

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Good Morning Roya,

Our Client [REDACTED] would like to proceed with option 1 (One) to proceed with his application for the proposed subdivision.

Please let me know if you require further information from our office to proceed and have a great day and weekend!

I Trust This Is What You Require.
Thank you,



Box 4120
Barrhead, Alberta
T7N 1A1
(780) 674-2287
(780) 674-5071 (FAX)

[REDACTED] [m](#)

From: [REDACTED] >
Sent: Thursday, December 7, 2023 10:16 AM
To: 'Roya Karimi-Boushehri' <Roya.Karimi-Boushehri@parklandcounty.com>;
'nat [REDACTED]'
Cc: [REDACTED]
Subject: RE: Tentative Plan Revisions - PLSP20230732

Hi Roya,

Thank you for all the information that I have provided to our client to see how he would like to move forward. Once I have a response I will let you know how he would like to proceed so you can continue to process the file. I will be in touch and have a great day!

I Trust This Is What You Require.

Thank you,



Box 4120
Barrhead, Alberta
T7N 1A1
(780) 674-2287
(780) 674-5071 (FAX)

From: Roya Karimi-Boushehri <Roya.Karimi-Boushehri@parklandcounty.com>

Sent: Wednesday, December 6, 2023 4:18 PM

To: [REDACTED]

Subject: RE: Tentative Plan Revisions - PLSP20230732

Hi [REDACTED]

The decision report for application PLSP20230732 is nearly drafted, at which time we will provide it to you/the landowners for review. In advance of this, we'd like to layout the following options for proceeding with this application, as the 20-acre proposal does not comply with regulations set out in the County's Land Use Bylaw.

Option 1: Apply with 20-acre parcel proposal (currently proceeding with this)

If the landowner wishes to continue forward with the 20-acre proposal, then the County will conditionally approval the subdivision, but include the following condition:

"Pursuant to Section 4.3.3(a)(ii) of Land Use Bylaw 2017-18 and Policy 4.1.8(b) of Municipal Development Plan Bylaw 2017-14, parcel sizes for Rural Agriculture Subdivision-Residential in the AGG – Agricultural General District are limited to a maximum parcel size of 4.05 ha (10.0 ac). The Alberta Land Surveyor shall revise the tentative plan to reduce the size of proposed Lot 1 to a maximum parcel area of 4.05 ha (10.0 ac). The final parcel size and configuration of the adjusted parcel shall be submitted to the Director of Planning & Development Services for review and approval."

If unsatisfied, the landowner may appeal the condition to the Subdivision and Development Authority Board, but if the decision were to be upheld they would be left with one 10 acre parcel. If their intention is to consolidate two 10-acre parcels into one 20-acre parcel through land titles they would be required to submit a new application for a second 10-acre parcel.

Option 2: Revise the tentative plan to include two 10-acre parcels

If the landowner agrees to revise the tentative plan to propose two 10-acre parcels, then an additional condition regarding size would not apply, but our Land Development and Engineering team may require an additional approach be built for the second parcel. This approach may be required to be removed if/when the landowner chooses to consolidate the parcels into 20-acres.

Please advise which option the landowner would like to proceed with, and feel free to reach out if you have any questions.

Thanks,

Roya Karimi-Boushehri, MSc URP (she/her) | Planner I, Current Planning | Parkland County |
53109A HWY 779, Parkland County, Alberta T7Z 1R1
Office: 780-968-8888 ext. 8304 | roya.karimi-boushehri@parklandcounty.ca |
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From: [REDACTED]
Sent: Thursday, November 23, 2023 2:48 PM
To: Roya Karimi-Boushehri <Roya.Karimi-Boushehri@parklandcounty.com>
Cc: [REDACTED]
Subject: RE: Tentative Plan Revisions - PLSP20230732

CAUTION: This email originated from outside of Parkland County. Do not click links or open attachments unless you recognize this sender and know the contents are safe.

*Good Afternoon Roya,
Please find attached the revised tentative plans.*

I trust this is what you require.
Thank You,
[REDACTED]



Report Date: December 12, 2023
 File No.: PLSP20230732
 Roll No.: 1397000
 Legal Description: W5-2-51-13-NE
 Division: 4

Subdivision Decision Report – Less than 4 Parcels in the AGG - Agriculture General District
 Legislative and land use history, compatibility with adopted plans, and legal implications are explored in detail within the body of this report is based on the Tentative Plan dated September 27, 2023 prepared by [REDACTED]. The following documents have been considered in the preparation of this report: The Municipal Government Act, Subdivision and Development Regulations, Municipal Development Plan Bylaw 2017-14, and Land Use Bylaw 2017-18.

Applicant Information

Applicant	[REDACTED]	Owner	[REDACTED]
Application Date	October 17, 2023	Application Acceptance Date	October 18, 2023
Referral End Date	November 8, 2023	Deemed Refused Date	January 28, 2024 (Extended from December 17, 2023)

Site Information

Title Area 63.01 hectares (156.03 acres).

Location The subject parcel is located immediately west of Range Road 20 and approximately 800m north of Township Road 512.
[Figure 1: Location Map](#)
 In reference to Figure 12-Transportation Infrastructure of Municipal Development Plan Bylaw 2017-14, the subject parcel is adjacent to Range 20, which is classified as a local road.

Is the subject parcel located within 1.6 km of a Provincial Highway? ☐ Yes/ ☒ No

Current Land Use Extensive agricultural and rural residential.

Current Land Use District Agricultural General District.

Existing Structures on Site Lot 1:
 No existing structures.

[Figure 2: Aerial Map](#)

Remnant Lot:

Building	DP	Compliant?	DP Required	Building Permit?	Notes
House	☐ Yes/ ☒ No	☒ Yes/ ☐ No	☐ Yes/ ☒ No	☐ Yes/ ☒ No	Pre-1960, no development or building permit required.
Barn x 2	☐ Yes/ ☒ No	☒ Yes/ ☐ No	☐ Yes/ ☒ No	☐ Yes/ ☒ No	Ag. building Pre-2004
Shop	☐ Yes/ ☒ No	☒ Yes/ ☐ No	☐ Yes/ ☒ No	☐ Yes/ ☒ No	Ag. building

					Pre-2004
Pole Shed	☐ Yes/ ☒ No	☒ Yes/ ☐ No	☐ Yes/ ☒ No	☐ Yes/ ☒ No	Ag. building Pre-2004
Quonset	☐ Yes/ ☒ No	☒ Yes/ ☐ No	☐ Yes/ ☒ No	☐ Yes/ ☒ No	Ag. building Pre-2004
Equipment Shed x2	☐ Yes/ ☒ No	☒ Yes/ ☐ No	☐ Yes/ ☒ No	☐ Yes/ ☒ No	Ag. building Pre-2004
Wood Storage Shed	☐ Yes/ ☒ No	☒ Yes/ ☐ No	☐ Yes/ ☒ No	☐ Yes/ ☒ No	Ag. building Pre-2004

All structures predate the requirements for development permits, and all structures excepting the House are agricultural buildings that meet setback requirements. No permits outstanding.

Uses of Adjacent
Parcels Extensive agricultural and rural residential.

General
Topography and
Soils The subject lands have a hummocky, medium relief landform with a limiting slope of 9%. The soils on the subject quarter are generally described as having slight limitations to unsuitable soils due to temperature, soil reactions, drainage, and slope conditions.

Existing On-Site
Water and
Wastewater
Systems **The existing holding septic tank and hauling system located on the Remnant Lot will need to be inspected to ensure compliance with the current Private Sewage Disposal Systems Regulation as a condition of subdivision approval.**

Water for domestic needs is currently provided by well.

Application Proposal

Application Proposal To create one Rural Agriculture Subdivision-Residential parcel.

[Figure 3: Tentative Plan](#)

Lot 1: 8.10 hectares (20.0 acres)

Do the proposed residential parcels and the remnant parcel each contain at least 0.8 contiguous hectares of developable land? ☒ Yes/ ☐ No

The proposed Lot 1 is considered oversized by 4.05 ha (10.0 ac) and is therefore not consistent with Section 4.3(3)(a) of the Land Use Bylaw. The applicant provided the following rationale for the oversized parcel:

- a) Farmstead and Farming Operations: [REDACTED] is proposing the parcel in hopes that his children will be able to reside in and operate their own farmstead. The parcel size is proposed as such to protect and maintain the agricultural area to ensure resources are available for residents wanting to farm. Furthermore, the subdivision would not interfere with farming operations on adjoining or reasonably adjacent properties, due to adequate buffering and separation of development from the proposed parcel. The parcel would adapt and support a changing agricultural industry and associated rural lifestyles.

- b) Natural features and resources: the proposed subdivision is designed in a manner that protects natural resources, including but not limited to soils, and vegetation. The proposal would not impact the preservation of the area’s rural character and scenic qualities.
- c) Consistency with County Growth and Land Use Strategies: This is vital and is supported by Parkland County’s Municipal Development Plan 2.3 which states that “Protecting key open spaces and agricultural areas will ensure the resources needed to feed and build the region are maintained for future generations while supporting the ability of agricultural areas and hamlets to attract and retain residents and businesses.” The proposed land use and development concept for the subject property is consistent with the growth management strategy and land use concept as envisioned in the Municipal Development Plan and Land Use Bylaw to safeguard and improve the County’s important agricultural land base while supporting a robust rural economy and vibrant rural lifestyle. This project will abide by and coincide with the Land Use Bylaw district and its corresponding regulations as well as Parkland County’s Municipal Development Plan. The anticipated development of the subdivision would not interfere with farming operations on adjoining or reasonably adjacent properties, due to adequate buffering or separation of the development from the proposed parcel including the remnant parcel.

The Land Use Bylaw allows for a greater area than 10 acres if required to include shelterbelts, natural features, on-site sewage disposal and water services, buildings or other improvements related to the residential component of a farmstead. The oversized parcel is vacant and therefore does not include lands that are related to the residential component of a farmstead.

Administration recommends the area of Lot 1 be limited to a maximum of 4.05 ha (10.0 ac) pursuant to Section 4.3(3)(a)(ii) of the Land Use Bylaw.

Consistency with Municipal Development Plan and Land Use Bylaw	The application is consistent with Policy 4.1.8 of the County's Municipal Development Plan and Section 4.3(3)(b) of the Land Use Bylaw, which allows for a maximum of one (1) residential parcel from an unsubsidized quarter section. It is noted that proposed Lot 1 is not consistent with Section 4.3(3)(a) of the Land Use Bylaw due to proposed area in excess of 4.05 hectares.
Future subdivisions on NE-13-51-2-5	Upon endorsement of this application two (2) additional subdivisions will be allowed on this quarter section under current regulations.

Legislative History and Planning Documents:

Municipal Development Plan Bylaw 2017-14	In reference to Figures of the MDP, the subject parcel is identified in the following classifications:	
	Figure 2-Edmonton Metropolitan Region-Policy Tiers	The subject parcel is located within the Rural Area of the Edmonton Metropolitan Region.
	Figure 5-Environmentally Significant Areas	Is the subject parcel located within an Environmentally Significant Area? ☐ Yes/ ☒ No

	Figure 7- Development Concept	The subject parcel is located within the Rural Agricultural Area.
	Figure 9-Prime Agriculture Areas	The subject parcel is located within the Prime Agriculture Area South East.
	Figure 11-Prime Recreation and Tourism Areas	The subject parcel is not located within an identified Prime Recreation and Tourism Area.
	Figure 14-High Priority Landscapes	Is the subject parcel located within a High Priority Landscape? ☐ Yes/ ☒ No
Area Structure Plan	Not applicable.	
Previous Subdivision Files on NE-13-51-2-5	No previous subdivisions have occurred.	
Instruments Registered on Title		
	5574VE	Utility Right-of-Way: West Parkland Gas Co-Op Natural gas lines with no impact on the Remnant Lot. The lines pass northeast to south on the proposed Lot 1.
	992 388 229	Utility Right-of-Way: Free Rein Resources Ltd. Pipeline Licence 33835, discussed below. Caveat: Free Rein Resources Ltd. Surface lease under 20 acres, with no impact on the Remnant Lot or the proposed Lot 1.
	992 390 952	
	052 529 249	Utility Right-of-Way: West Parkland Gas Co-Op Natural gas lines with no impact on the Remnant Lot or the proposed Lot 1.
	052 529 250	Utility Right-of-Way: West Parkland Gas Co-Op Natural gas lines with no impact on the Remnant Lot or the proposed Lot 1.
	052 529 251	Utility Right-of-Way: West Parkland Gas Co-Op Natural gas lines with no impact on the Remnant Lot or the proposed Lot 1.
Gas wells and pipelines abandoned and active on NE-13-51-2-5	There are no active or abandoned wells within the subject quarter section.	
	<u>Pipelines</u>	
	Licence 33835	Owner: Free Rein Resources Ltd., Liquid: natural gas, Status: operating (permit approval March 26, 2019) Pipeline Right-of-Way runs east-west along the northern boundary of the quarter section, through the proposed Lot 1 and includes a 15m pathway (Right-of-Way Plan 002 1188 as shown on the Tentative Plan).

Environmental Reserve	No lands within or near the proposed residential parcel appear to meet the requirements of Environmental Reserve dedication under the Municipal Government Act.
Municipal Reserve Requirements	Pursuant to Section 663(a) of the Municipal Government Act, municipal reserves are not eligible as the parcel is the first parcel to be created from the quarter section.
Historic Resource Value (HVR) / Historical Resources Act Compliance	The subject lands do not overlap an area identified in the provincial Listing of Historic Resources. Referral to Alberta Culture and Tourism is not required.

Roads:

Road Widening	Road widening has been previously dedicated in accordance with Parkland County Policy C-PD03 along Range Road 20 under Road Plan 822-0634. No further road widening is required with this application.
---------------	--

Access and Approaches

Development Engineering has indicated that the existing approach to proposed Lot 1 requires compliance with Drawing 7.12 of Parkland County Engineering Design Standards:

Existing Field Approach	Lot 1	Range Road 20	Ensure the existing field approach (gravel, between 6m and 8m) off Range Road 20 to the proposed Lot 1 meets Engineering Standard Drawing No. 7.12;
Existing Residential Approach	Remnant Lot	Range Road 20	The existing residential approach (gravel, between 6m and 8m) off Range Road 20 to the Remnant parcel is approved as is.

- All approaches shall maintain the spacing requirements from adjacent approaches.
- No disturbance or grading is to adversely affect existing drainage on adjacent lots. All surface grading is to be done in a manner that will prevent cross lot drainage conflicts.
- All approaches shall contain an apron equivalent to the surface of Range Road 20.
- Please contact a Development Engineering Officer prior to construction and to schedule inspection appointments at 780-968-8888 ext. 8372.
- All approaches shall be constructed at the locations detailed on the accepted tentative plan.
- The applicant shall contact the County's Public Works Program Coordinator, Mr. Shawn Satz, at 780-968-8454 for approval of a haul road agreement prior to hauling any material onto or off site on County roadways.
- All fill material shall be tested and free of deleterious substances. All infill material should be free of contamination as defined in Table 1 of the Alberta Tier 1 Soil and Groundwater Remediation Guidelines.

Circulation Comments Received

Referral agency comments

Agency	Response Received	Easement Required	Comments
Alberta Energy Regulator	☒ Yes/ ☐ No	☐ Yes/ ☒ No	Standard comments.
Alberta Health Services	☒ Yes/ ☐ No	☐ Yes/ ☒ No	AHS-EPH has no concerns with the proposed subdivision at this time.

Canada Post	☐ Yes/ ☒ No	☐ Yes/ ☐ No	
AEP (Water Act)	☐ Yes/ ☒ No	☐ Yes/ ☐ No	
AEP (Wetlands)	☐ Yes/ ☒ No	☐ Yes/ ☐ No	
Evergreen Catholic School Division	☐ Yes/ ☒ No	☐ Yes/ ☐ No	
Parkland School Division	☐ Yes/ ☒ No	☐ Yes/ ☐ No	
Altalink	☐ Yes/ ☒ No	☐ Yes/ ☐ No	
West Parkland Gas Co-op	☐ Yes/ ☒ No	☐ Yes/ ☐ No	
FORTIS Alberta	☒ Yes/ ☐ No	☐ Yes/ ☒ No	No concerns at this time. No easement required.
TELUS	☐ Yes/ ☒ No	☐ Yes/ ☐ No	
Development Planning	☐ Yes/ ☐ No	☐ Yes/ ☐ No	See the "Existing Structures" section of this report.
Land Development Engineering	☐ Yes/ ☐ No	☐ Yes/ ☐ No	See "Roads" and "Access and Approaches" sections of this report.
Fire Services	☒ Yes/ ☐ No	☐ Yes/ ☒ No	The Fire Discipline has no issues with the proposed property subdivision with the current supplied documentation.
District Councilor	☐ Yes/ ☒ No	☐ Yes/ ☐ No	

Decision

Administration recommends that the application be approved subject to the following conditions:

That the subdivision application submitted by [REDACTED], on behalf of [REDACTED] for the tentative plan of subdivision dated September 27, 2023 be **CONDITIONALLY APPROVED** subject to the following conditions:

1.	Pursuant to Section 654(1)(d) of the <i>Municipal Government Act</i> , any outstanding taxes on the subject property shall be paid or arrangements be made, to the satisfaction of Parkland County, for the payment thereof.
2.	Pursuant to Section 655 of the <i>Municipal Government Act</i>, the landowner shall complete the following with respect to approaches and ditching: (a) ensure the existing field approach off Range Road 20 to the proposed Lot 1 meets Engineering Standard Drawing No. 7.12. The approach shall be graveled to the property line, and be a minimum of 6.0 meters to a maximum of 8.0 meters in width. (b) All approaches shall be constructed at the locations detailed on the accepted tentative plan; and (c) The applicant shall contact the County's Public Works Program Coordinator, Mr. Shawn Satz, at 780-968-8454 for approval of a haul road agreement prior to hauling any material onto or off site on County roadways. All approaches shall maintain the spacing requirements from adjacent approaches. No disturbance or grading is to adversely affect existing drainage on adjacent lots. All surface grading is to be done in a manner that will prevent cross lot drainage conflicts. All approaches shall contain an apron equivalent to the surface of Range Road 20. Please contact a Development Engineering Officer prior to construction and to schedule inspection appointments at 780-968-8888 ext. 8372. Note: the existing residential approach off Range Road 20 the Remnant Lot meets Engineering Standard Drawing 7.12; no upgrades are required.

3.	Pursuant to Section 4.3.3(a)(ii) of Land Use Bylaw 2017-18 and Policy 4.1.8(b) of Municipal Development Plan Bylaw 2017-14, parcel sizes for Rural Agriculture Subdivision-Residential in the AGG – Agricultural General District are limited to a maximum parcel size of 4.05 ha (10.0 ac). The Alberta Land Surveyor shall revise the tentative plan to reduce the size of proposed Lot 1 to a maximum parcel area of 4.05 ha (10.0 ac) . The final parcel size and configuration of the adjusted parcel shall be submitted to the Director of Planning & Development Services for review and approval.
4.	Pursuant to Section 654(1)(c) of the Municipal Government Act, the proposed subdivision must meet Section 7(g) of the Subdivision & Development Regulation with respect to septic disposal and an inspection of the existing septic system on Remnant Lot is required pursuant to the Private Sewage Disposal Systems Regulation. To schedule an inspection of the existing septic system, please sign-in to your PLANit Parkland Portal account to pay the required fee. A Safety Codes Permit Issuer will contact you to book an inspection. Please read attached Private Sewage Distance Requirements.
5.	Pursuant to Parkland County Bylaw No. 2015-30, the parcels shall be numbered using Parkland County's civic addressing system. Following final inspection of the approach(es), please contact the Current Planner I at 780-968-8888, to request address assignments. Following assignment of civic addresses, please contact Customer Service at 780-968-8888 to order all required address signs. A copy of the receipt confirming purchase of the address sign(s) shall be provided to Planning & Development Services.
6.	The subdivision shall be registered in a manner acceptable to the Registrar of Land Titles. An endorsement fee of \$529.00 (subject to change) is payable when the final plan is submitted for endorsement by Parkland County. No endorsement fee is charged for reserve lots or public utility lots. If applicable, the Alberta Land Surveyor shall ensure all required setbacks from existing principal and accessory buildings and new property lines are maintained in accordance with Parkland County Land Use Bylaw No. 2017-18.

Reasons for Decision

The proposal was reviewed and was found to be compliant with Parkland County's Municipal Development Plan, and Land Use Bylaw. The application was also found to conform to the relevant considerations as outlined in Section 7 of the Subdivision and Development Regulation. Further, adjacent landowners made no written submissions.

It is noted that proposed Lot 1 is not consistent with Section 4.3(3)(a) of the Land Use Bylaw due to proposed area in excess of 4.05 hectares. The applicant provided the following rationale for the oversized parcel:

- a) Farmstead and Farming Operations: [REDACTED] is proposing the parcel in hopes that his children will be able to reside in and operate their own farmstead.
- b) Natural features and resources: the proposed subdivision is designed in a manner that protects natural resources, including but not limited to soils, and vegetation.
- c) Consistency with County Growth and Land Use Strategies: This is vital and is supported by Parkland County's Municipal Development Plan 2.3 which states that "Protecting key open spaces and agricultural areas will ensure the resources needed to feed and build the region are maintained for future generations while supporting the ability of agricultural areas and hamlets to attract and retain residents and businesses."

The Land Use Bylaw allows for a greater area than 10 acres if required to include shelterbelts, natural features, on-site sewage disposal and water services, buildings or other improvements related to the residential component of a farmstead. The oversized parcel is vacant and therefore does not include lands that are related to the residential component of a farmstead.

Administration recommends the area of Lot 1 be limited to a maximum of 4.05 ha (10.0 ac) pursuant to Section 4.3(3)(a)(ii) of the Land Use Bylaw.

Notes:

- Any impacts to waterbodies (including watercourses and wetlands) such as draining, infilling, or modifications require that a provincial Water Act approval application, along with a Wetland Assessment and Impact Report, including a wetland mitigation and replacement plan would need to be completed and filed with Alberta Environment and Parks.
- Should noxious and/or prohibited noxious weed species be present on site, weed control measures should be implemented.

Attachments:

Figure 1: Location Map

Figure 2: Aerial Map

Figure 3: Tentative Plan of Subdivision dated: September 27, 2023

Prepared by:

RKarimiB

Roya Karimi-Boushehri, MSc, Current Planner I

December 12, 2023

Reviewed and
Supported:

AGallays

April Gallays, MCIP, RPP
Manager, Current and Long Range Planning

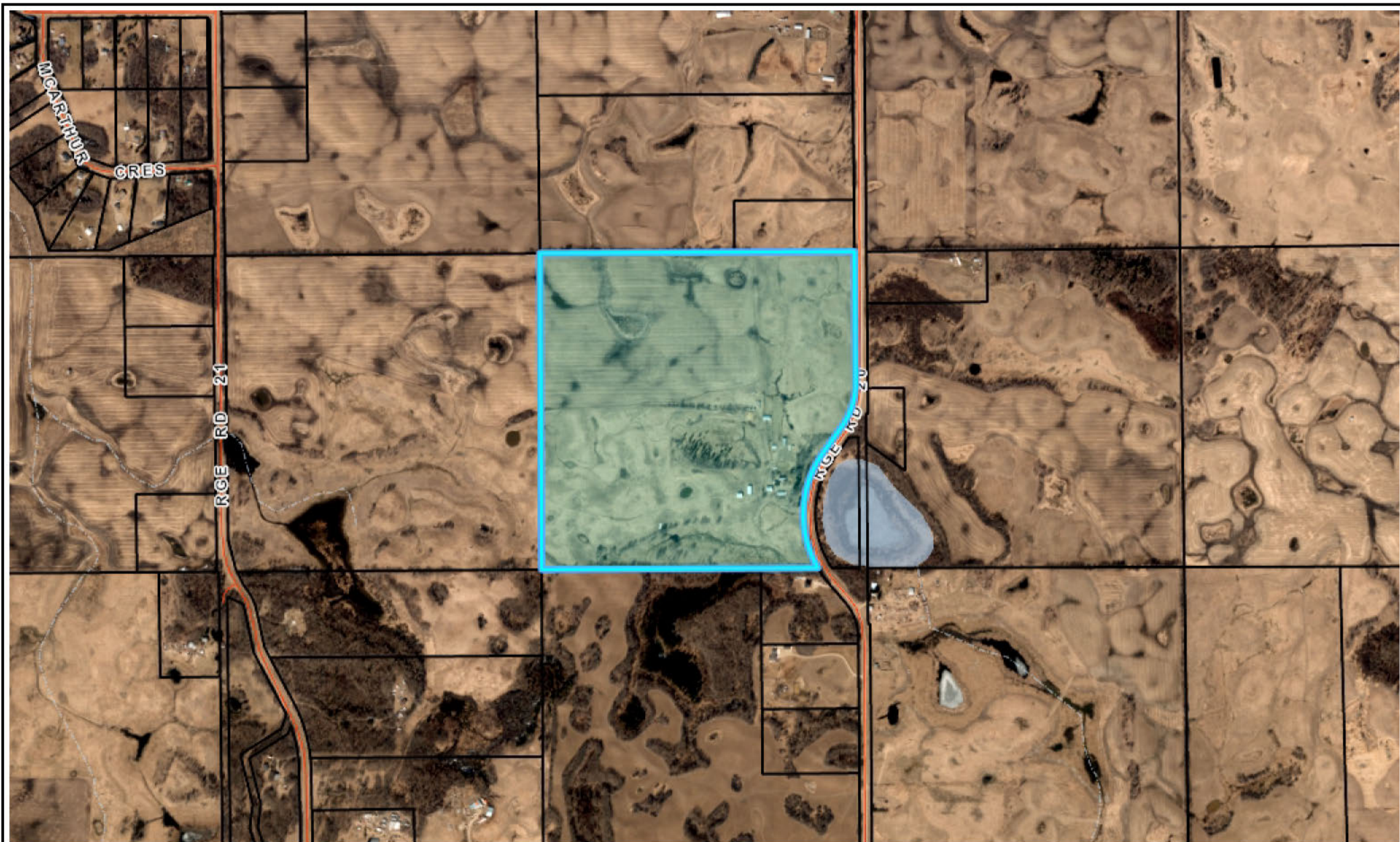
December 14, 2023

Approved as
Recommended:

N. Domijan

Nancy Domijan P.Eng.
Director, Planning and Development Services

December 18, 2023



Location Map - 51222 RGE RD 20

Notes: PLSP20230732

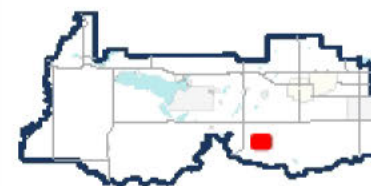
Created By: Roya Karimi-Boushehri

Created On: Oct 18, 2023

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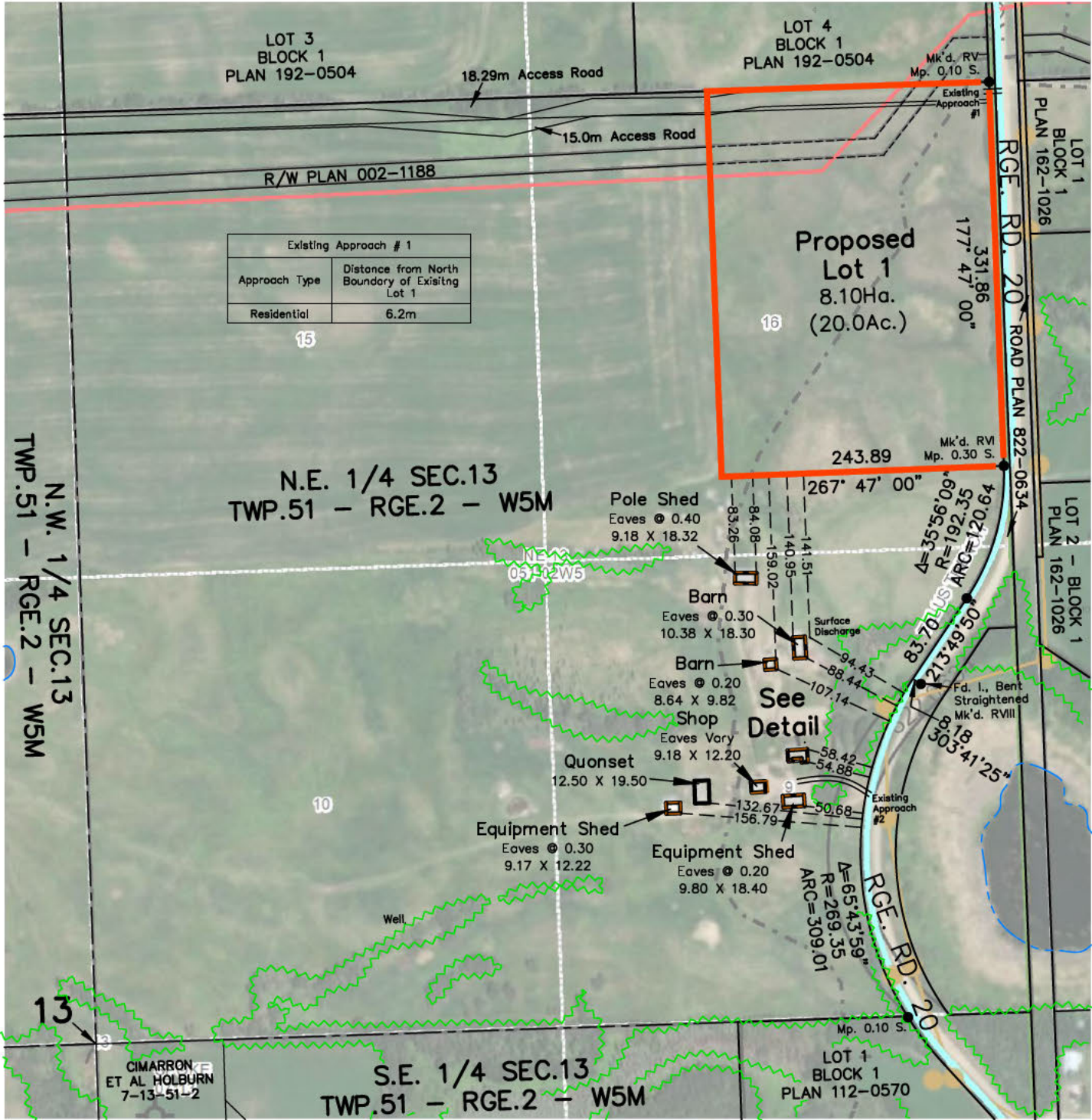
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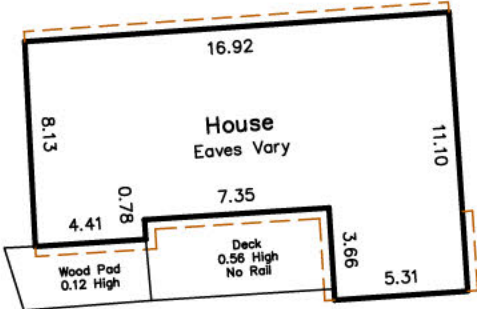
© Parkland County Page 91 of 115

PLAN SHOWING PROPOSED SUBDIVISION OF

Part of N.E. 1/4 SEC.13 - TWP.51 - RGE.2 - W5M
51222 RGE. RD. 20 - PARKLAND COUNTY
SCALE:1:5000 2023



Detail
1: 300

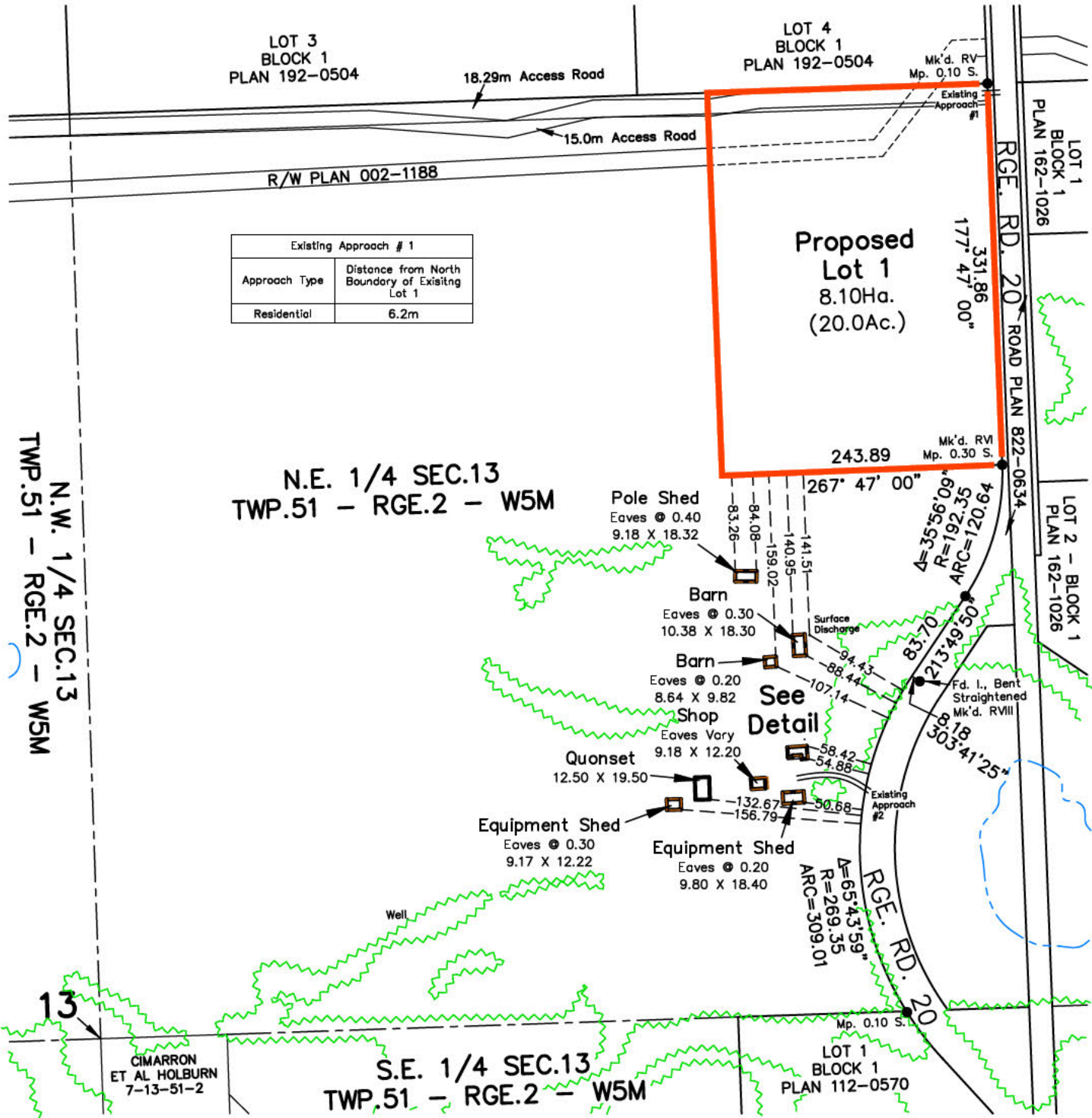


NOTES: DISTANCES ARE IN METRES AND DECIMALS THEREOF
STATUTORY IRON SURVEY POSTS FOUND SHOWN THUS: ●
PROPOSED LOT BOUNDARY SHOWN THUS: ———
EDGE OF TREELINE SHOWN THUS: ~~~~~
EDGE OF WATER FEATURES SHOWN THUS: - - - - -

BOX 4120, BARRHEAD, ALBERTA
T7N 1A1 PHONE: (780) 674-2287
FILE: 23209 DATE: SEPTEMBER 27, 2023

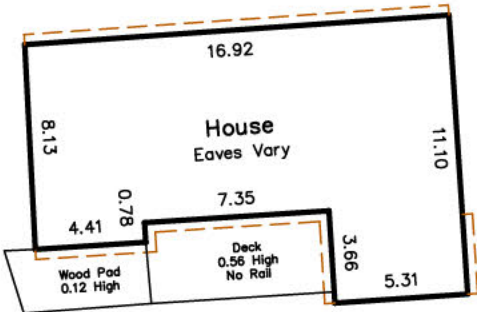
PLAN SHOWING PROPOSED SUBDIVISION OF

Part of N.E. 1/4 SEC.13 - TWP.51 - RGE.2 - W5M
51222 RGE. RD. 20 - PARKLAND COUNTY
SCALE:1:5000 2023



S.E. 1/4 SEC.13
TWP.51 - RGE.2 - W5M

Detail
1: 300



NOTES: DISTANCES ARE IN METRES AND DECIMALS THEREOF
STATUTORY IRON SURVEY POSTS FOUND SHOWN THUS: ●
PROPOSED LOT BOUNDARY SHOWN THUS: —
EDGE OF TREELINE SHOWN THUS: ~~~~~
EDGE OF WATER FEATURES SHOWN THUS: - - - - -

BOX 4120, BARRHEAD, ALBERTA
T7N 1A1 PHONE: (780) 674-2287
FILE: 23209 DATE: SEPTEMBER 27, 2023

December 20, 2023

File No. PLSP20230732

W5-2-51-13-NE

Dear [REDACTED]:

Subject: Conditional Subdivision Approval W5-2-51-13-NE**Decision**

Your subdivision application for one residential was conditionally approved by the Director of Planning & Development Services on December 18, 2023.

Conditions of Approval

The subdivision application submitted by [REDACTED], on behalf of [REDACTED] for the tentative plan of subdivision as shown on Figure 3 dated September 27, 2023 is **CONDITIONALLY APPROVED** subject to the following conditions:

1.	Pursuant to Section 654(1)(d) of the Municipal Government Act, any outstanding taxes on the subject property shall be paid or arrangements be made, to the satisfaction of Parkland County, for the payment thereof.
2.	Pursuant to Section 655 of the Municipal Government Act, the landowner shall complete the following with respect to approaches and ditching: a. ensure the existing field approach off Range Road 20 to the proposed Lot 1 meets Engineering Standard Drawing No. 7.12. The approach shall be graveled to the property line, and be a minimum of 6.0 meters to a maximum of 8.0 meters in width. b. All approaches shall be constructed at the locations detailed on the accepted tentative plan; and c. The applicant shall contact the County's Public Works Program Coordinator, Mr. Shawn Satz, at 780-968-8454 for approval of a haul road agreement prior to hauling any material onto or off site on County roadways. All approaches shall maintain the spacing requirements from adjacent approaches. No disturbance or grading is to adversely affect existing drainage on adjacent lots. All surface grading is to be done in a manner that will prevent cross lot drainage conflicts. All approaches shall contain an apron equivalent to the surface of Range Road 20. Please contact a Development Engineering Officer prior to construction and to schedule inspection appointments at 780-968-8888 ext. 8372. Note: the existing residential approach off Range Road 20 the Remnant Lot meets Engineering Standard Drawing 7.12; no upgrades are required.
3.	Pursuant to Section 4.3.3(a)(ii) of Land Use Bylaw 2017-18 and Policy 4.1.8(b) of Municipal Development Plan Bylaw 2017-14, parcel sizes for Rural Agriculture Subdivision-Residential in the AGG – Agricultural General District are limited to a maximum parcel size of 4.05 ha (10.0 ac). The Alberta Land Surveyor shall revise the tentative plan to reduce the size of proposed Lot 1 to a maximum parcel area of 4.05

	ha (10.0 ac). The final parcel size and configuration of the adjusted parcel shall be submitted to the Director of Planning & Development Services for review and approval.
4.	Pursuant to Section 654(1)(c) of the Municipal Government Act, the proposed subdivision must meet Section 7(g) of the Subdivision & Development Regulation with respect to septic disposal and an inspection of the existing septic system on Remnant Lot is required pursuant to the Private Sewage Disposal Systems Regulation. To schedule an inspection of the existing septic system, please sign-in to your PLANit Parkland Portal account to pay the required fee. A Safety Codes Permit Issuer will contact you to book an inspection. Please read attached Private Sewage Distance Requirements.
5.	Pursuant to Parkland County Bylaw No. 2015-30, the parcels shall be numbered using Parkland County's civic addressing system. Following final inspection of the approach(es), please contact the Current Planner I at 780- 968-8888, to request address assignments. Following assignment of civic addresses, please contact Customer Service at 780-968-8888 to order all required address signs. A copy of the receipt confirming purchase of the address sign(s) shall be provided to Planning & Development Services.
6.	The subdivision shall be registered in a manner acceptable to the Registrar of Land Titles. An endorsement fee of \$529.00 (subject to change) is payable when the final plan is submitted for endorsement by Parkland County. No endorsement fee is charged for reserve lots or public utility lots. If applicable, the Alberta Land Surveyor shall ensure all required setbacks from existing principal and accessory buildings and new property lines are maintained in accordance with Parkland County Land Use Bylaw No. 2017-18.

Reasons for Decision

The proposal was reviewed and was found to be compliant with Parkland County's Municipal Development Plan, and Land Use Bylaw. The application was also found to conform to the relevant considerations as outlined in Section 7 of the Subdivision and Development Regulation. Further, adjacent landowners made no written submissions.

It is noted that proposed Lot 1 is not consistent with Section 4.3(3)(a) of the Land Use Bylaw due to proposed area in excess of 4.05 hectares. The applicant provided the following rationale for the oversized parcel:

- a. Farmstead and Farming Operations: [REDACTED] is proposing the parcel in hopes that his children will be able to reside in and operate their own farmstead.
- b. Natural features and resources: the proposed subdivision is designed in a manner that protects natural resources, including but not limited to soils, and vegetation.
- c. Consistency with County Growth and Land Use Strategies: This is vital and is supported by Parkland County's Municipal Development Plan 2.3 which states that "Protecting key open spaces and agricultural areas will ensure the resources needed to feed and build the region are maintained for future generations while supporting the ability of agricultural areas and hamlets to attract and retain residents and businesses."

The Land Use Bylaw allows for a greater area than 10 acres if required to include shelterbelts, natural features, on-site sewage disposal and water services, buildings or other improvements related to the residential component of a farmstead. The oversized parcel is vacant and therefore does not include lands that are related to the residential component of a farmstead.

Appeal

If you wish to appeal this decision, an appeal may be commenced by submitting a written notice of appeal within 14 days of the date of receipt of this letter. The date of receipt is deemed by law to be 7 days from the date shown on this letter. The notice of appeal must include the file number PLSP20230732, the legal description of the subject property, the \$250.00 appeal fee and the reasons for the appeal. The appeal must be directed to:

Subdivision and Development Appeal Board
53109A Hwy 779
Parkland County, AB T7Z 1R1
Telephone: 780-968-8405

Approval Period

The approval period for this conditionally approved subdivision is **one year**. An extension of the approval period may be granted upon receipt of a written request and payment of the required fee. Repeat extensions of a subdivision approval may not be granted.

Endorsement Information and Requirements

Parkland County will not endorse any Plan of Subdivision or any other subdivision related documents until the expiry of the appeal period specified by the *Municipal Government Act*. This time period is a minimum of 21 days from the date shown on this letter.

In order to register the Plan of Subdivision at the Land Titles office the following must occur:

- all of the conditions of approval must be met to the County's satisfaction within one year of the conditional approval. You are responsible for retaining an Alberta Land Surveyor to prepare the Plan of Subdivision for registration at Land Titles. The Alberta Land Surveyors' Association maintains a listing of surveyors in Alberta which can be found at www.alsa.ab.ca. All plans and any related documents must be submitted to Parkland County for review and approval in advance of expiry of the one year period as the date of endorsement must appear on those plans and documents within one year of the conditional approval;
- a request for endorsement of a subdivision plan must be accompanied with the applicable endorsement fee and one digital copy and two paper copies of the subdivision plan. Additionally, if right-of-way or easement plans are required for drainage or other purposes, copies of those plans must be submitted for review and final acceptance. All final plans for subdivision as well as rights-of-way and easements must be submitted concurrently for review by Parkland County; and
- payment of taxes as a condition of subdivision is required by the Municipal Government Act and by County policy. Payment is required at the time of endorsement. Please contact the undersigned for further information on the taxes owing.

Utility Contacts

You are requested to contact:

- West Parkland Gas Co-op with respect to any development or construction that will take place on the lands as a result of this subdivision approval that may affect the company's interests (i.e. buried service lines);
- Fortis with respect to its easements for new power facilities and/or relocation of existing power facilities, if required; and

Parkland County's Safety Codes Services at 780-968-8443 with respect to the installation/inspection of any private sewage disposal facilities.

Notice to the Applicant regarding Regulation of Activities

Please be aware that issuance of this Approval by the County does not include permission for activities that are regulated through other governing bodies such as Alberta Environment and Parks, Alberta Health or the Government of Canada. The Applicant is responsible for acquiring related permits. The County will not actively review that the Applicant has fulfilled their requirements under the related acts or regulations.

- You may consult with Alberta Environment and Parks regarding to your obligations under the *Water Act*, the *Environmental Protection Act* and the *Alberta Public Lands Act*. Those acts are broad but may cover development and operation activities within your project possibly including:

- well water or surface water use
- drainage
- wetland or water course disturbance including bank and shore
- drinking water
- wastewater disposal including sewage

Some related websites for Environment and Parks current at the time of this note are:

<http://www.aep.alberta.ca/>

<http://www.aep.alberta.ca/water/default.aspx>

<http://www.aep.alberta.ca/water/forms-applications/default.aspx>

- You may consult with Alberta Health Services. Some of their related governance is contained in the *Public Health Act - Nuisance and General Sanitary Regulation*. Their responsibilities are also broad, but they may cover activities within your project including:

- drinking water
- sanitary facilities
- facilities accessed by the public
- sewage

Some related websites for Alberta Health and Alberta Health Services current at the time of this note are:

<http://www.health.alberta.ca/about/health-legislation.html>

<https://www.albertahealthservices.ca>

<https://www.albertahealthservices.ca/info/service.aspx?id=1052203>

If you have any questions or concerns, please contact the undersigned at 780-968-8888 or at roya.karimi-boushehri@parklandcounty.com.

Sincerely,



Roya Karimi-Boushehri
Planner I, Current Planning

CC:

[REDACTED]
 Alberta Health Services
 Alberta Energy Regulator
 Alberta Transportation
 Canada Post
 Alberta Environment and Parks (AEP) (Water Act)
 Evergreen Catholic Schools
 Parkland School Division
 AltaLink
 Fortis Alberta
 Telus
 West Parkland Gas Co-op
 District Councilor
 Land Development and Engineering
 Deputy Fire Chief

Encl: Signed Director's Decision Report
 Stamped and Signed Tentative Plan of Subdivision

Exhibit 23

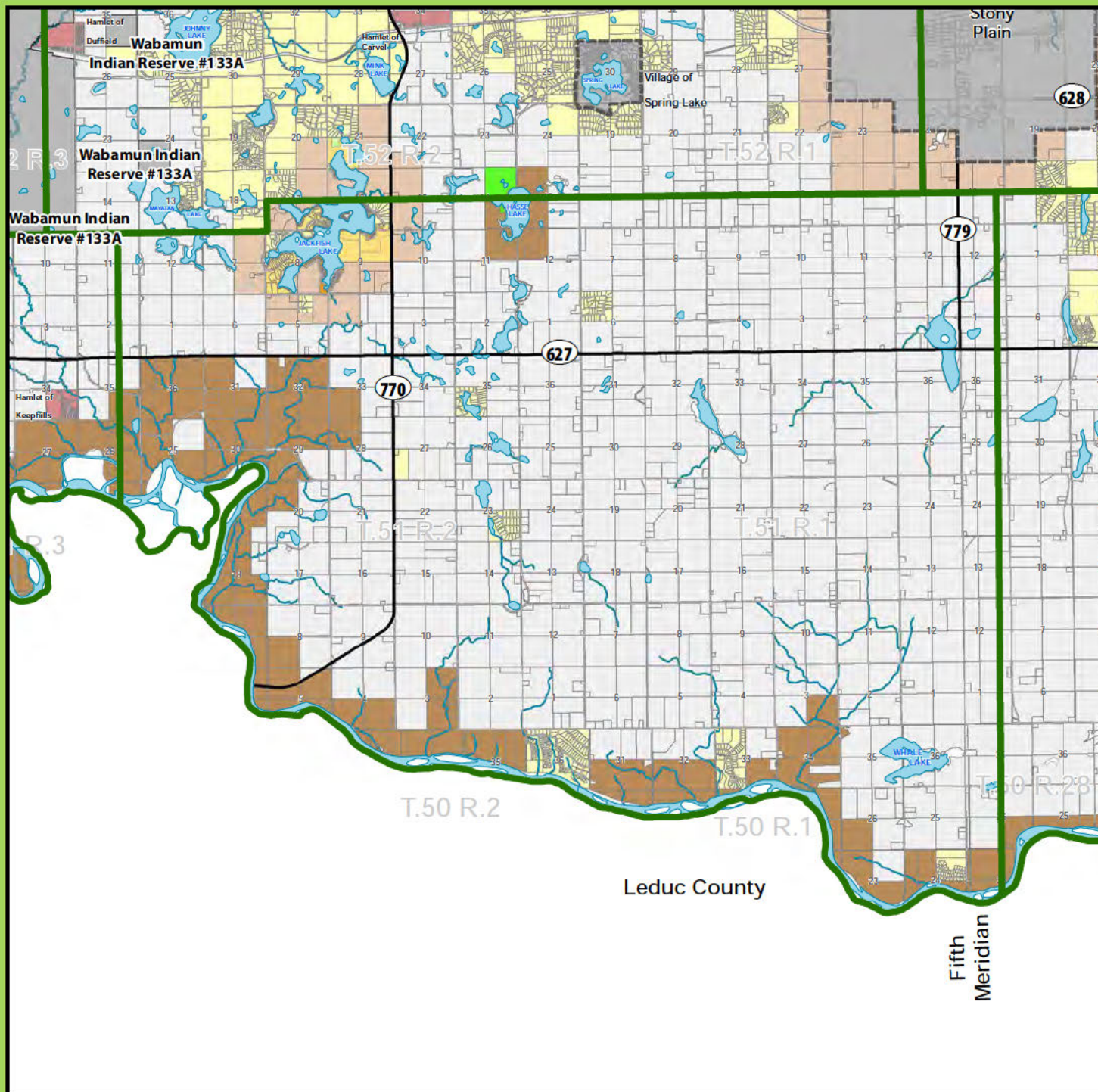
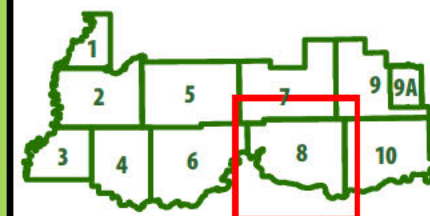
partia
county

2019 Land Use District Map 8

District

- AGG - Agricultural General District
- AGR - Agricultural Restricted District
- ANC - Agriculture / Nature Conservation District
- CR - Country Residential District
- CRR - Country Residential Restricted District
- LSR - Lakeshore Residential District
- RC - Rural Centre District
- PC - Conservation District
- PR - Recreation District

N
Consolidated to April 23, 2019
Cadastral current to April 30, 2019
0 1.25 2.5 5 Kilometers
1:148,000





4.1.7 Rural Agricultural Subdivision - Agriculture	a. Rural Agriculture Subdivision - Agriculture for agricultural purposes other than small holdings should typically be eighty (80) acres (32.37 ha) or greater in size.
4.1.8 Rural Agriculture Subdivision - Farmstead	a. Rural Agriculture Subdivision - Farmstead is supported in the Rural Agricultural Area to provide opportunities for rural living, support multi-generational farming and ensure sufficient population to service the agricultural sector. b. Rural Agriculture Subdivision - Farmstead in the Rural Agricultural Area should not encompass productive agricultural land and are typically no more than ten (10) acres (4.05 ha) in size.
4.1.9 Rural Agriculture Subdivision - Residential	a. Rural Agriculture Subdivision - Residential is generally supported in the Rural Agricultural Area to provide opportunities for rural living. b. A maximum of three (3) Rural Agriculture Subdivision - Residential are allowed per unsubdivided quarter section unless otherwise stated in Section 4.2 Prime Agricultural Areas. c. The County will complete a market analysis and planning study to determine appropriate parcel size regulations for Rural Agriculture Subdivision - Residential.
4.1.10 Agricultural Impact Assessments	a. An Agricultural Impact Assessment prepared by a qualified professional shall be required for new area structure plans in areas of high capability agricultural land.
4.1.11 Locating Confined Feeding Operations (CFOs)	a. The County will direct CFOs to locate where there are minimal conflicts with non-complementary or sensitive land uses, as identified in Figure 8: Confined Feeding Operations Land Use Compatibility Areas. b. The County may limit residential subdivisions in the vicinity of CFOs, where off-site impacts of the nearby CFOs may be a significant nuisance to residential use. c. The County may use the minimum distance separation formula as established in the <i>Agricultural Operation Practices Act (AOPA)</i> as criteria for determining the appropriate setback for residential subdivisions from a CFO.
4.1.12 Expansion of Existing CFOs	a. The County recognizes there are existing CFOs in existence in Parkland County. Where an existing CFO applies to the NRCB for an expansion, the County will consider Figure 8: Confined Feeding Operations Land Use Compatibility Areas , and existing land uses adjacent to the proposed expansion when providing its recommendations to the NRCB.

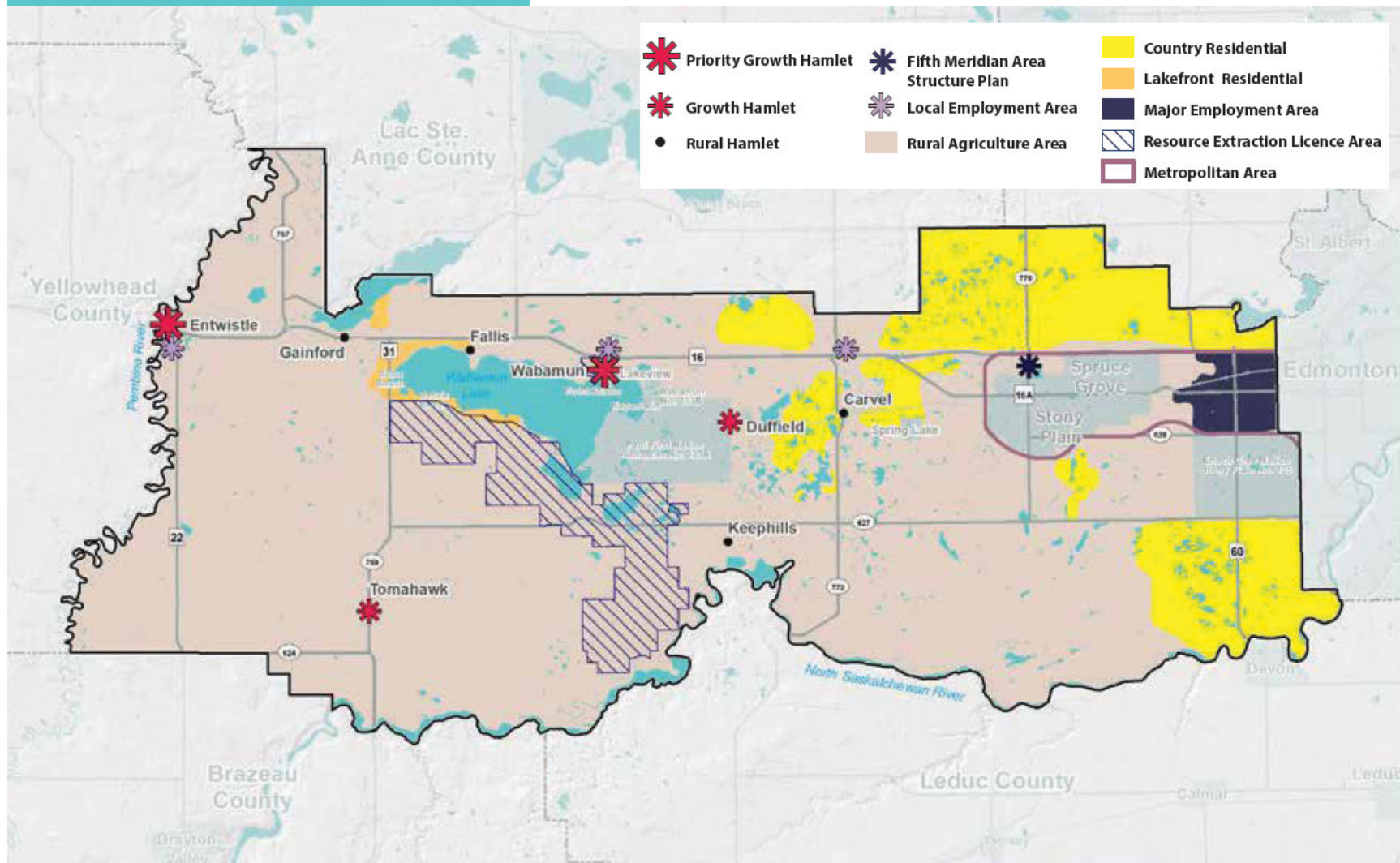


POLICIES

4.2.1 Prime Agriculture Areas	a. Prime Agriculture Areas shall be located as shown on Figure 9: Prime Agriculture Areas and shall include the Prime Area South East, Prime Area South West and Prime Area Small Holdings.
4.2.2 Prime Agriculture Area South East	a. Prime Agriculture Area South East should retain large land parcels to support grazing and specialty operations such as grain and crop farming while promoting diversification and expansion into new agricultural sectors. b. Within the Prime Agriculture Area South East, a total four (4) parcels are supported per quarter section. c. Subdivisions for non-agricultural developments should be limited in Prime Agriculture Area South East.
4.2.3 Prime Agriculture Area West	a. Prime Area West should retain large land parcels to support grazing and specialty operations grain and crop farming. b. Within the Prime Agriculture Area West, a total four (4) parcels are supported per quarter section. c. Subdivisions for non-agricultural developments should be limited in the Prime Agriculture Area West.
4.2.4 Prime Agriculture Area Small Holdings	a. Prime Agriculture Area Small Holdings allows for flexibility of parcel sizes to allow for specialty agricultural operations and horticultural uses. b. Subdivisions in the Prime Agriculture Area Small Holdings should be between ten (10) and forty (40) acres in size. c. Within the Prime Agriculture Area Small Holdings, a total four (4) to six (6) parcels are allowed per quarter section. d. Rural Agriculture Subdivision - Residential is not supported within the Prime Agricultural Area Small Holdings.



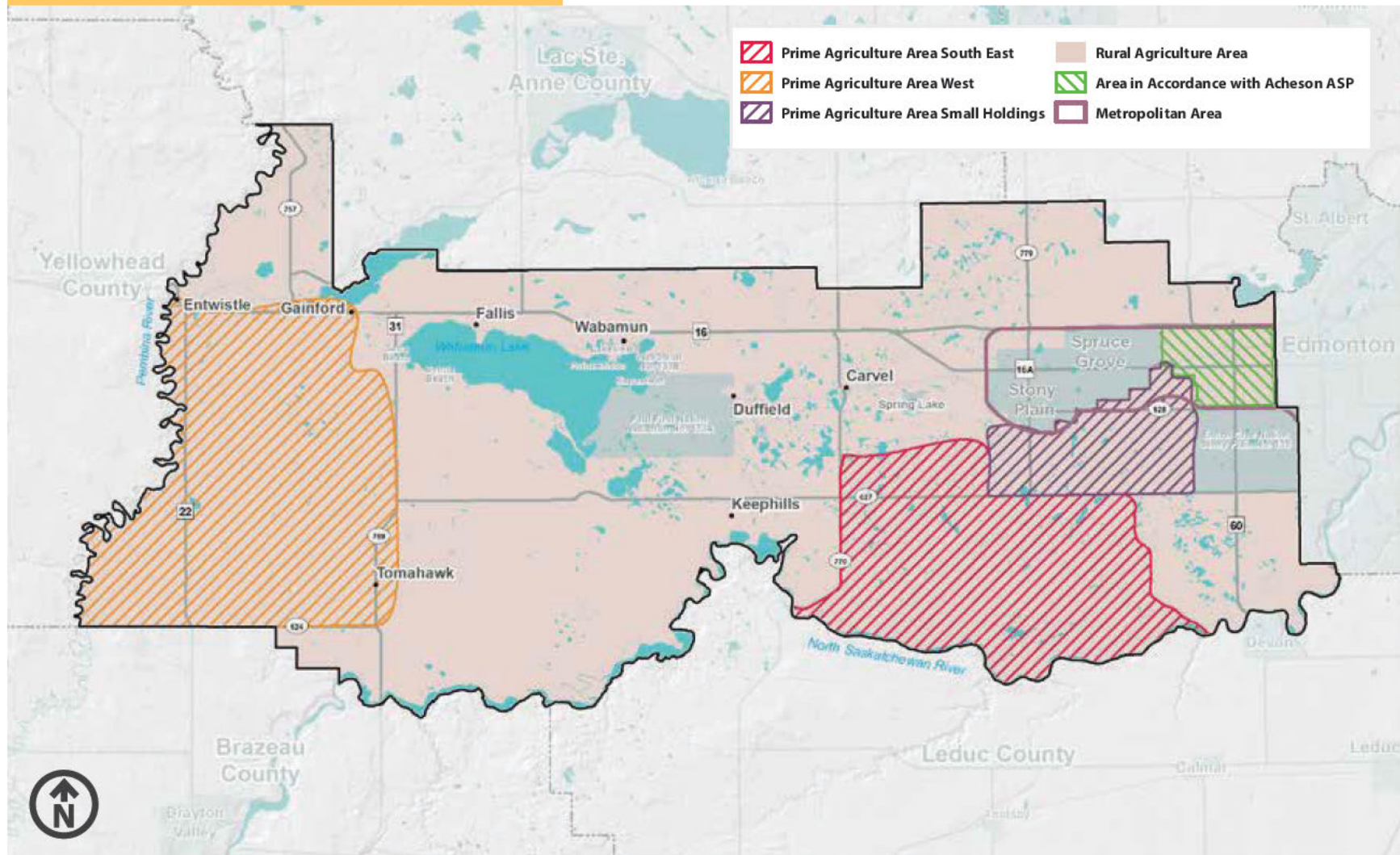
FIGURE 7 | DEVELOPMENT CONCEPT



*NOTE: Interpretation of **Figure 7: Development Concept** shall be considered in conjunction with policy overlay areas as depicted in **Figure 9: Prime Agriculture Areas**, **Figure 11: Prime Recreation and Tourism Areas**, and **Figure 14: High Priority Landscapes**.



FIGURE 9 | PRIME AGRICULTURE AREAS





PLANNING & DEVELOPMENT SERVICES

SUBDIVISION APPEAL

SDAB HEARING DATE:

FEBRUARY 5, 2024

PRESENTED BY:

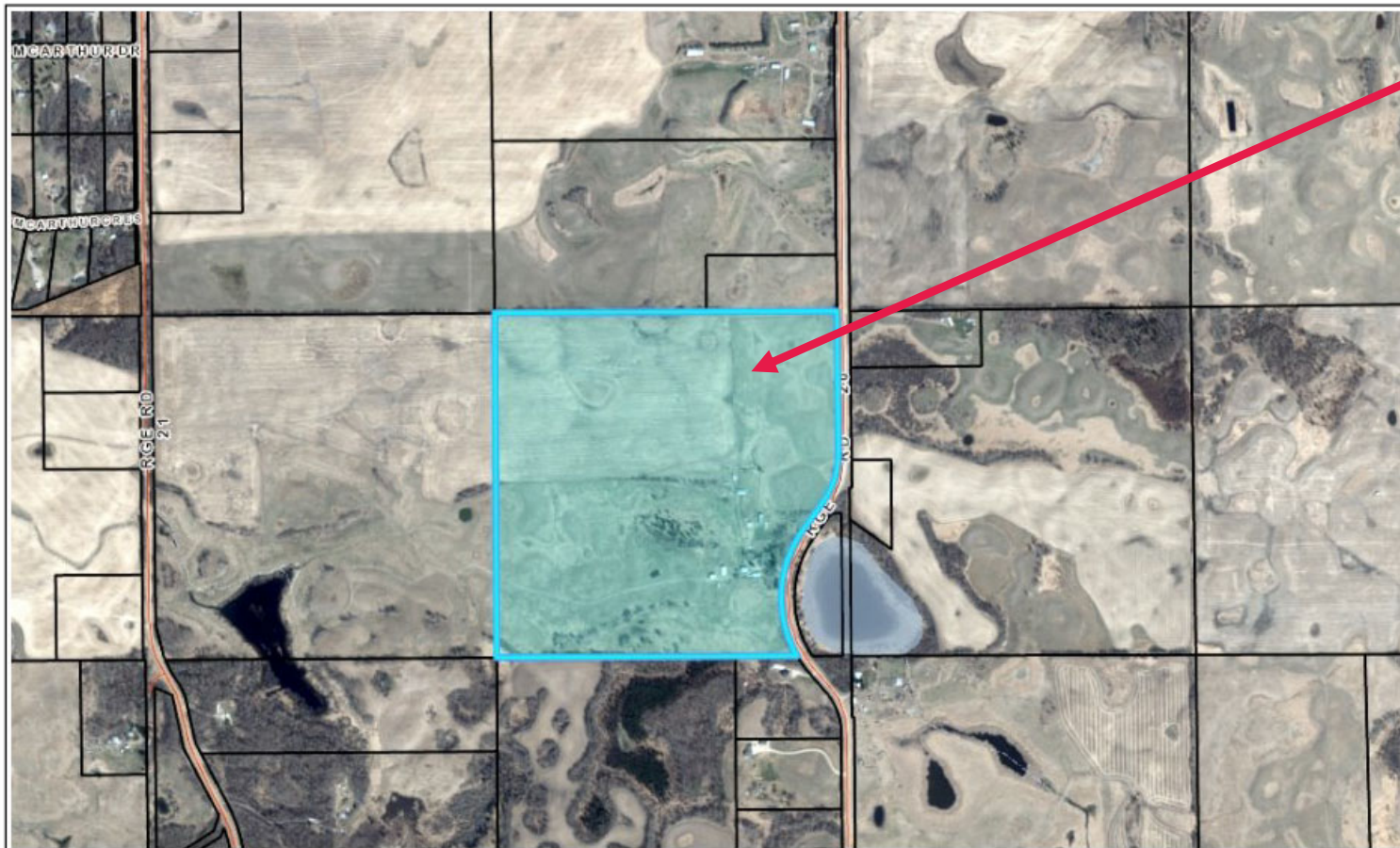
ROYA KARIMI-BOUSHEHRI, CURRENT PLANNER I

JULIA LEDUC, SENIOR CURRENT PLANNER

PARKLAND COUNTY FILE:

PLSP20230732

LOCATION

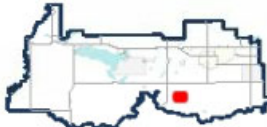


Subject Parcel

Legal Address
NE-13-51-2-5

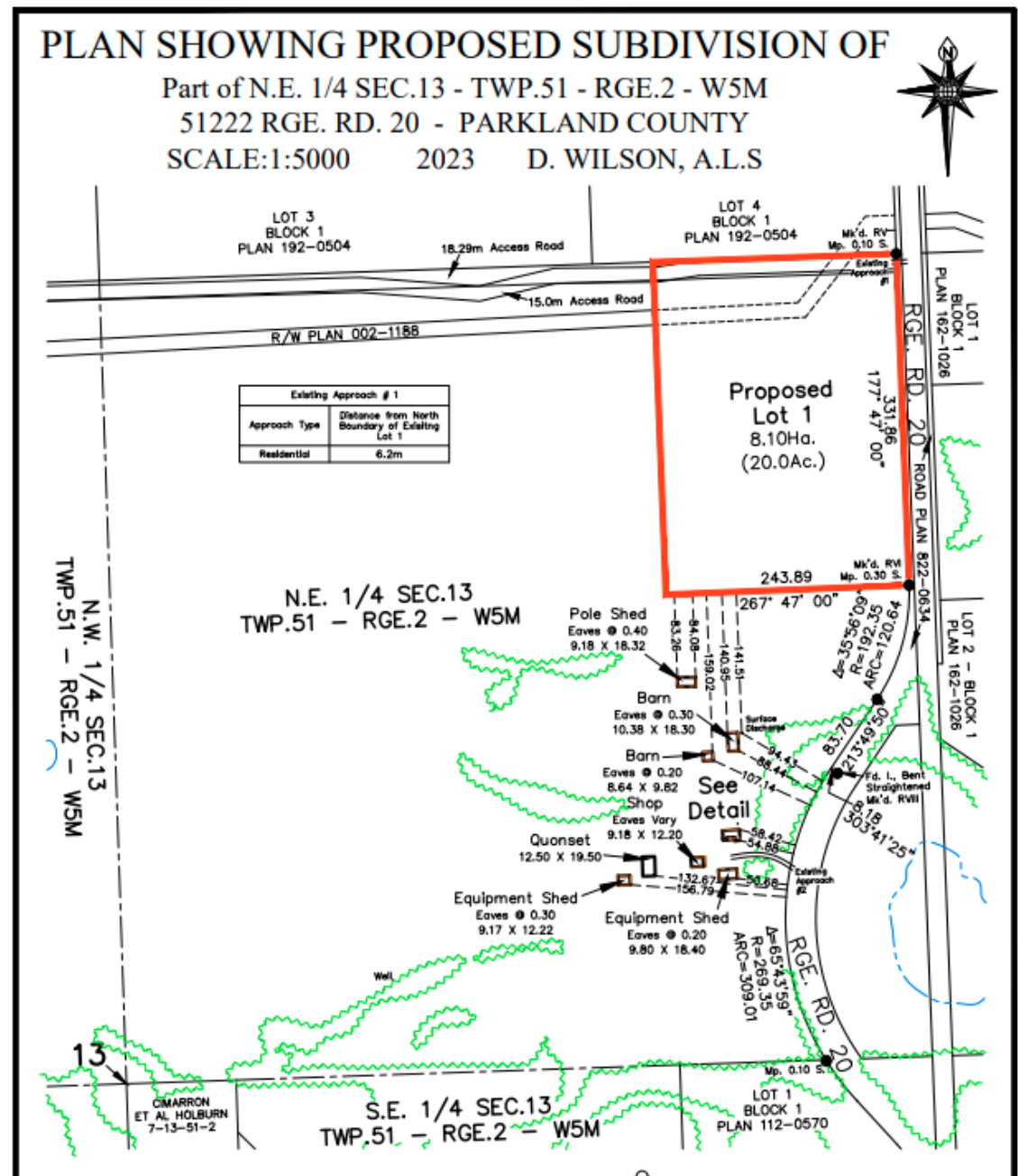
District
AGG-Agricultural
General

Division 4

	Location Map		
Notes: PLSP20230732 This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.	Created By: Roya Karimi-Boushehri Created On: Jan 16, 2024 <i>THIS MAP IS NOT TO BE USED FOR NAVIGATION OR LEGAL PURPOSES</i>	 1: 11,943	© Parkland County

TENTATIVE PLAN OF SUBDIVISION

- First parcel created from the quarter section
- 8.10 ha (20.0 ac)



VARIANCE REQUEST

- The applicant submitted a letter providing rationale and justification for the proposed oversized parcel.
- The variance request was reviewed by the Subdivision Authority, and considered as part of their decision.

SUBDIVISION AUTHORITY DECISION

- Subdivision application was approved on December 18, 2023 subject to six (6) conditions.

SUBDIVISION AUTHORITY DECISION

- Subdivision application was approved on December 18, 2023 subject to six (6) conditions.
- Condition #3

SUBDIVISION AUTHORITY DECISION

• Condition #3

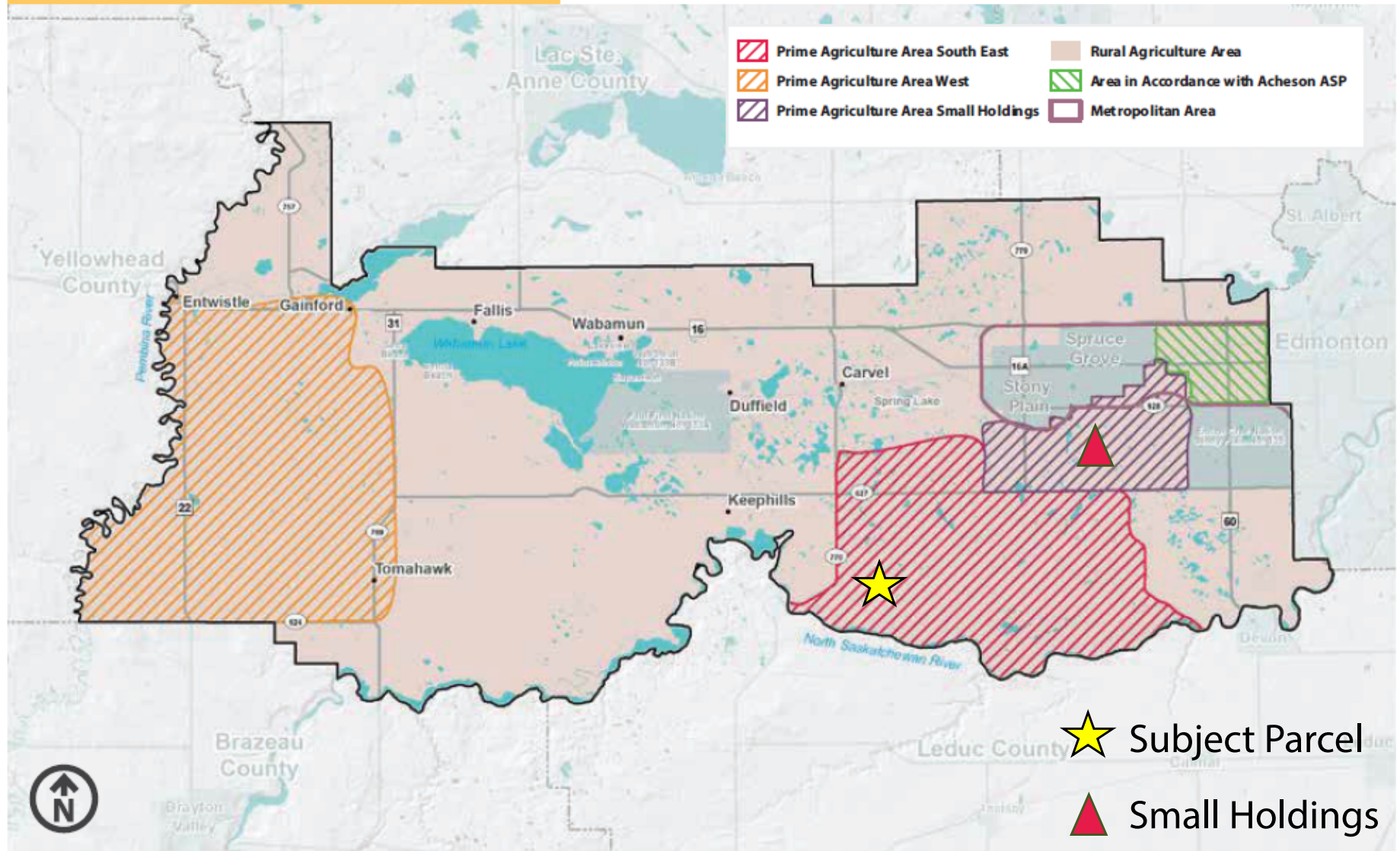
- Pursuant to Section 4.3.3(a)(ii) of Land Use Bylaw 2017-18 and Policy 4.1.8(b) of Municipal Development Plan Bylaw 2017-14, parcel sizes for Rural Agriculture Subdivision-Residential in the AGG – Agricultural General District are limited to a maximum parcel size of 4.05 ha (10.0 ac). The Alberta Land Surveyor shall revise the tentative plan to reduce the size of proposed Lot 1 to a maximum parcel area of 4.05 ha (10.0 ac). The final parcel size and configuration of the adjusted parcel shall be submitted to the Director of Planning & Development Services for review and approval.

POLICY FRAMEWORK REVIEW

- **Municipal Development Plan 2017-14**
 - Policy 4.1.7(a)
 - Policy 4.1.8(b)
 - Policy 4.2.2(a)

PRIME AGRICULTURAL AREAS

FIGURE 9 | PRIME AGRICULTURE AREAS



POLICY FRAMEWORK REVIEW

- Land Use Bylaw 2017-18
 - Section 4.3.3(a)i
 - Section 4.3.3(a)ii

POLICY FRAMEWORK REVIEW

- Land Use Bylaw 2017-18
 - Section 4.3.3(a)ii
 - ↳ Shelterbelts
 - ↳ Natural features
 - ↳ On-site sewage disposal and water services
 - ↳ Buildings/improvements to existing farmstead

APPEAL

A notice of appeal was received from the Appellant on December 22, 2023.

Administration recommends that the Board deny the appeal and uphold the Subdivision Authority's decision to approve the subdivision subject to the existing six (6) conditions.

To whom it may concern,

I write this letter to you in respect to hopefully allow a better understanding as to why a 20-acre subdivide is a more economical and agricultural approach. To start this off, to create sustainable living for our future family, 10 acres is simply not enough. We pride ourselves in maintaining our animals in a top-quality way and extensively research and commit to providing an optimal environment for that. We intend to grow our Equine business and look forward to one day being able to expand into rehab.

When we discuss sustainable living, we need optimal land for gardens, crops, and animal pastures that are outside of our structure parameters. Just with a home, a shop, a garden shed, a coverall for hay - this accumulates a lot of space. Now, we add pastures to this. Pasture space is extremely important for multiple factors - First, grass provides horses with high-quality nutrition through the summer months. 20 acres also allows for proper pasture management and rotation which is crucial for grass health, weed management, and manure management.

Now, the suggestion from the county is to waste money and resources to put in two approaches along with two addresses signs-adding thousands of dollars to an already expensive project. It is an inappropriate use of money, time, and resources when it is simple to divide a property into a 20-acre lot - I want you to think about what the real difference is in approving a 10-acre subdivide to a 20-acre subdivide. In this economy we are facing, it is hard enough to get started and to tack on unnecessary expenses is a serious frustration.

Sincerely,
Rob Allen