

PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Subdivision Authority	DIVISION: 1
DATE:	February 10, 2021	APPLICATION: PL20200135
FILE:	03912041	
SUBJECT:	Residential Subdivision	

APPLICATION: To create a \pm 0.29 acre parcel (Lot 1) and a \pm 0.29 acre parcel (Lot 2).

GENERAL LOCATION: Located in the Hamlet of Bragg Creek.

LAND USE DESIGNATION: Residential, Urban District (R-URB)

EXECUTIVE SUMMARY: The application is consistent with the relevant policies of the Greater Bragg Creek Area Structure Plan

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

OPTIONS:

- Option #1: THAT Subdivision Application PL20200135 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Subdivision Application PL20200135 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Oksana Newmen, Planning and Development Services

**APPLICATION EVALUATION:**

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Municipal Development Plan; • Greater Bragg Creek Area Structure Plan • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None
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Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
<i>TRANSPORTATION OFFSITE LEVY</i>	\$1,332.55
<i>MUNICIPAL RESERVE (\$/ACRE)</i>	Already provided under Plan 3052JK
<i>WATER AND WASTEWATER LEVY</i>	\$46,328.58

Additional Review Considerations

Conditions were set based on the following items.

Accessibility to a Road

Both the existing and proposed parcel will have access to a developed road. A condition requiring construction of a new access has been provided.

Greater Bragg Creek Area Structure Plan

The ASP outlines residential subdivision and development in the flood fringe must meet provincial and County requirements, in addition, to be required to connect to municipally-owned water and sewer services, providing acceptable access, having no physical constraints, and considerations for building placement and tree retention and placement are to the County's satisfaction. The applicant has indicated that there is an existing cleared area currently holding storage containers where the future dwelling will be built on Lot 1, and that no trees are anticipated to be removed.

Stormwater and Developability

The applicant will be required to complete a Site Specific Stormwater Management Plan, in accordance with the Bragg Creek Master Drainage Plan and County Servicing Standards.

Site Servicing

As both piped water and wastewater are available and required for parcels of this size, conditions for connection are provided. Piped stormwater systems are not yet available, and as such, a deferred servicing agreement will be required for when the service becomes available.

ATCO Gas has also requested Utility easements, and a condition for this has been provided.

Site Construction




To manage impacts from construction, a construction management plan, to include erosion and sediment control, traffic control, weed control, and stormwater management, among other things, is required.

Tentative Plan

Subdivision Proposal

To create a ± 0.12 hectare (± 0.29 acre) parcel (Lot 1) and a ± 0.12 hectare (± 0.29 acre) parcel (Lot 2).

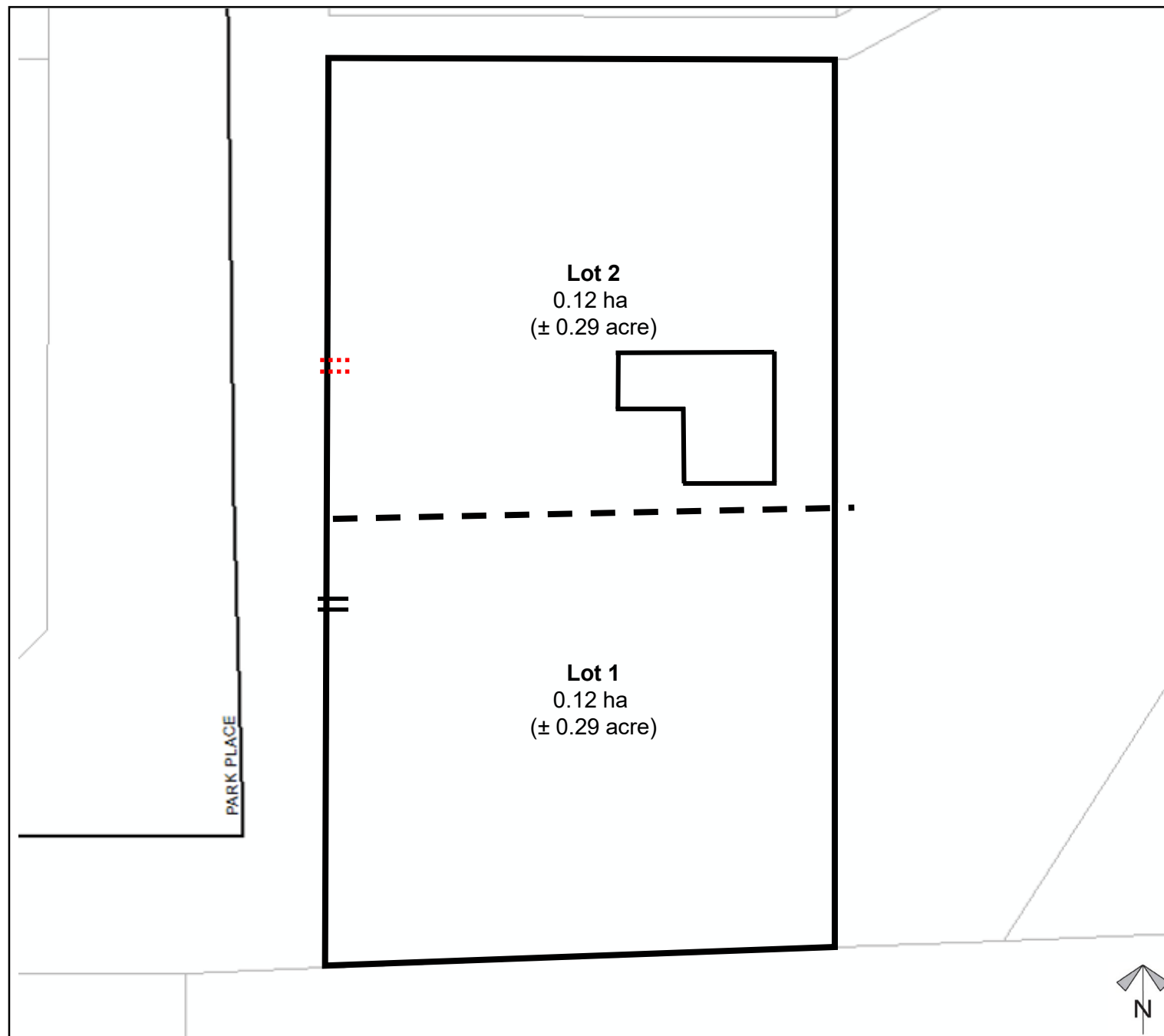
Legend

Dwelling	
Existing Approach	
New Approach	

Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-8000-2020.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

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 Block D, within
 N-12-23-05-W05M





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CONCLUSION:

Subject to the proposed conditions of approval, the application is recommended for approval.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

ON/lt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT ‘C’: Public Comment Letters

**ATTACHMENT 'A': APPROVAL CONDITIONS**

- A. The application to create a ± 0.12 hectare (± 0.29 acre) parcel (Lot 1) and a ± 0.12 hectare (± 0.29 acre) parcel (Lot 2) at Lot 1, Block D, Plan 3052JK, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
 2. The subject lands hold the appropriate land use designation;
 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Survey Plans

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

Transportation and Access

- 2) *The Owner shall construct a new gravel approach on Park Place in order to provide access to Lot 2.*

Stormwater and Developability

- 3) The Owner is to provide and implement a Site Specific Stormwater Management Plan conducted and stamped by a professional engineer that is in accordance with the Bragg Creek Master Drainage Plan and the County Servicing Standards. Implementation of the Stormwater Management Plan shall include:
 - a) If the recommendations of the Stormwater Management Plan require improvements, then a Site Improvements / Services Agreement or Development Agreement shall be entered into;
 - b) Registration of any required easements and / or utility rights of way;
 - c) Necessary Alberta Environment licensing documentation for the stormwater infrastructure system;

Site Servicing

- 4) The Owner shall construct appropriately sized & designed water and wastewater utilities main connections & service connections. All work shall be done in accordance with the County Servicing Standards and the Water & Wastewater Utilities Bylaw (C-8009-2020), including:



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- a) The Applicant/Owner shall submit engineered design drawings of the connections for review by the County. Written approval of the design drawings shall be obtained from the Manager of Utility Services prior to construction commencement;
 - b) The Applicant/Owner shall provide the necessary security for the tie-in to the existing water distribution system and the sanitary collection system, based on an estimated construction cost prepared by a qualified professional; and,
- 5) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title for each proposed Lot(s) 1 and 2, indicating:
- a) Each future Lot Owner is required to connect to County piped stormwater systems at their cost when such services become available;
 - b) Requirements for decommissioning and reclamation once County servicing becomes available;
- 6) Utility Easements, Agreements and Plans are to be provided and registered to the satisfaction of ATCO Gas.

Site Construction

- 7) The Owner is to provide a Construction Management Plan prepared by a qualified professional which is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment; construction and
- a) Weed management during the construction phases of the project;
 - b) Traffic accommodation;
 - c) Management of storm water during construction; and,
 - d) Any other relevant construction management detail.

Payments and Levies

- 8) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one new lot.
- 9) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020 prior to subdivision endorsement. The County shall calculate the total amount owing;
- a) from the total gross acreage of lot 1 as show on the Plan of Survey.
- 10) The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with Bylaw C-8009-2020 prior to subdivision endorsement.

Taxes

- 11) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw



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ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Wildy Enterprises Ltd (Dan Reid)	OWNER: Wildy Enterprises Ltd.
DATE APPLICATION RECEIVED: September 24, 2020	DATE DEEMED COMPLETE: September 25, 2020
GROSS AREA: ± 0.23 hectares (± 0.58 acres)	LEGAL DESCRIPTION: Lot 1, Block D, Plan 3052JK
APPEAL BOARD: Municipal Government Board	
HISTORY: <i>November 4, 1962:</i> Subject parcel registered at Land Titles, as part of Plan 3052JK. Municipal Reserves were provided through land dedication of Lot 3, Block D, Plan 3052JK.	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to 227 adjacent landowners. One (1) response was received, in support of the application. The response has been included in Attachment 'C.'</p> <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

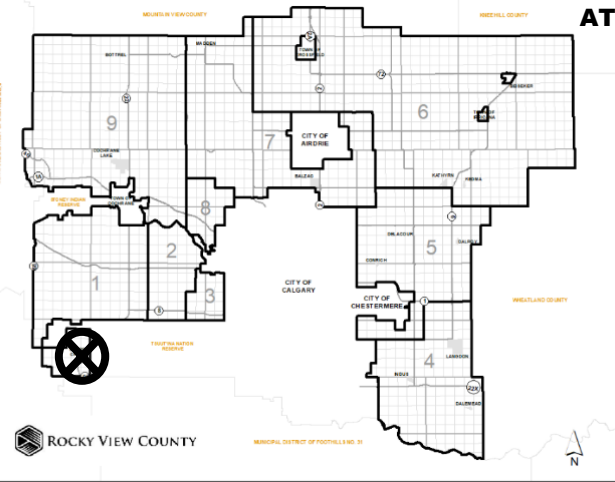
Location & Context

Subdivision Proposal

To create a ± 0.12 hectare (± 0.29 acre) parcel (Lot 1) and a ± 0.12 hectare (± 0.29 acre) parcel (Lot 2).

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ATTACHMENT 'B': MAPS AND OTHER INFORMATION



Development Proposal

Subdivision Proposal

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PARKPLACE

Lot 2
0.12 ha
(± 0.29 acre)

BRAGG
CREEK

Lot 1
0.12 ha
(± 0.29 acre)

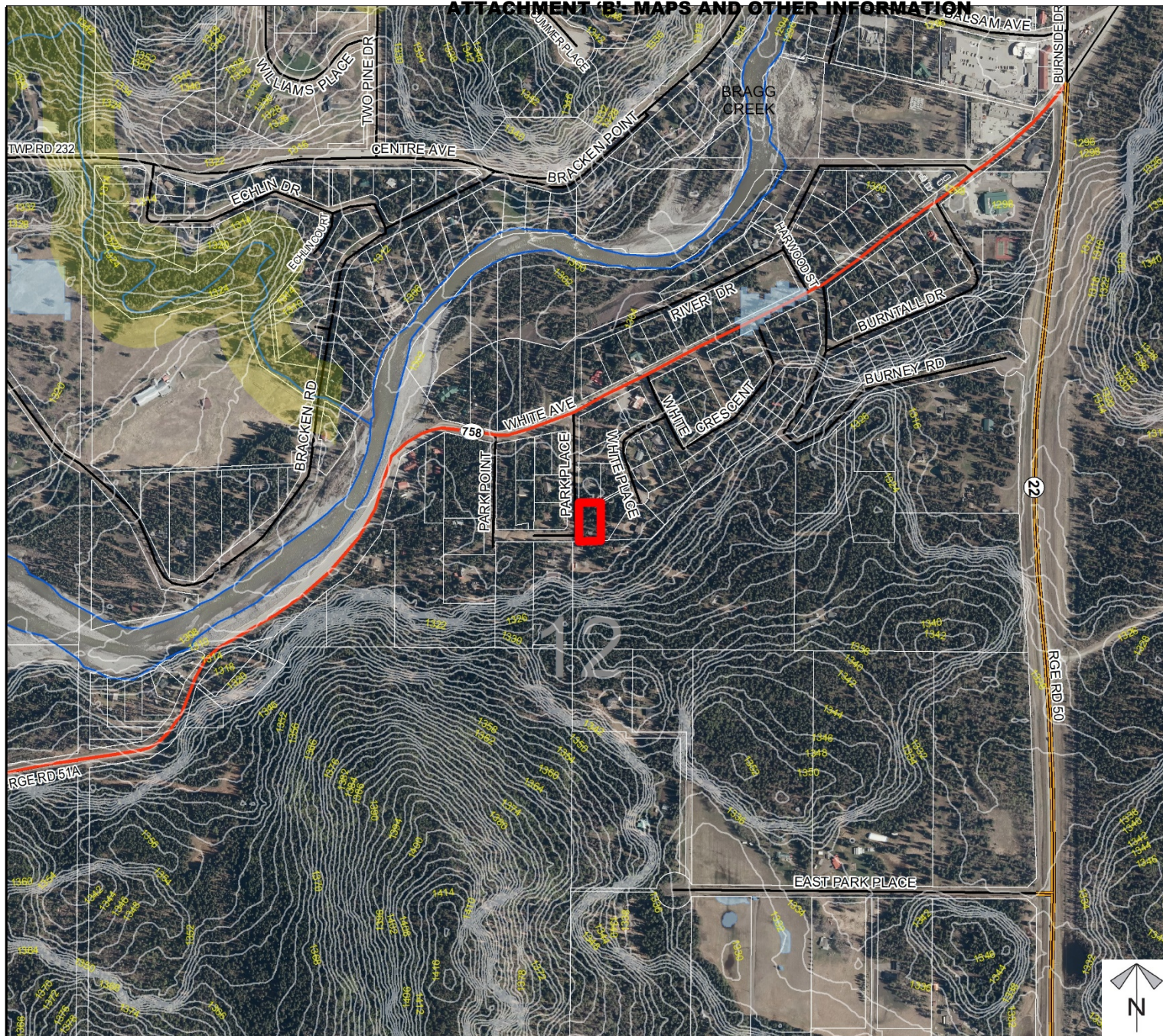


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Environmental

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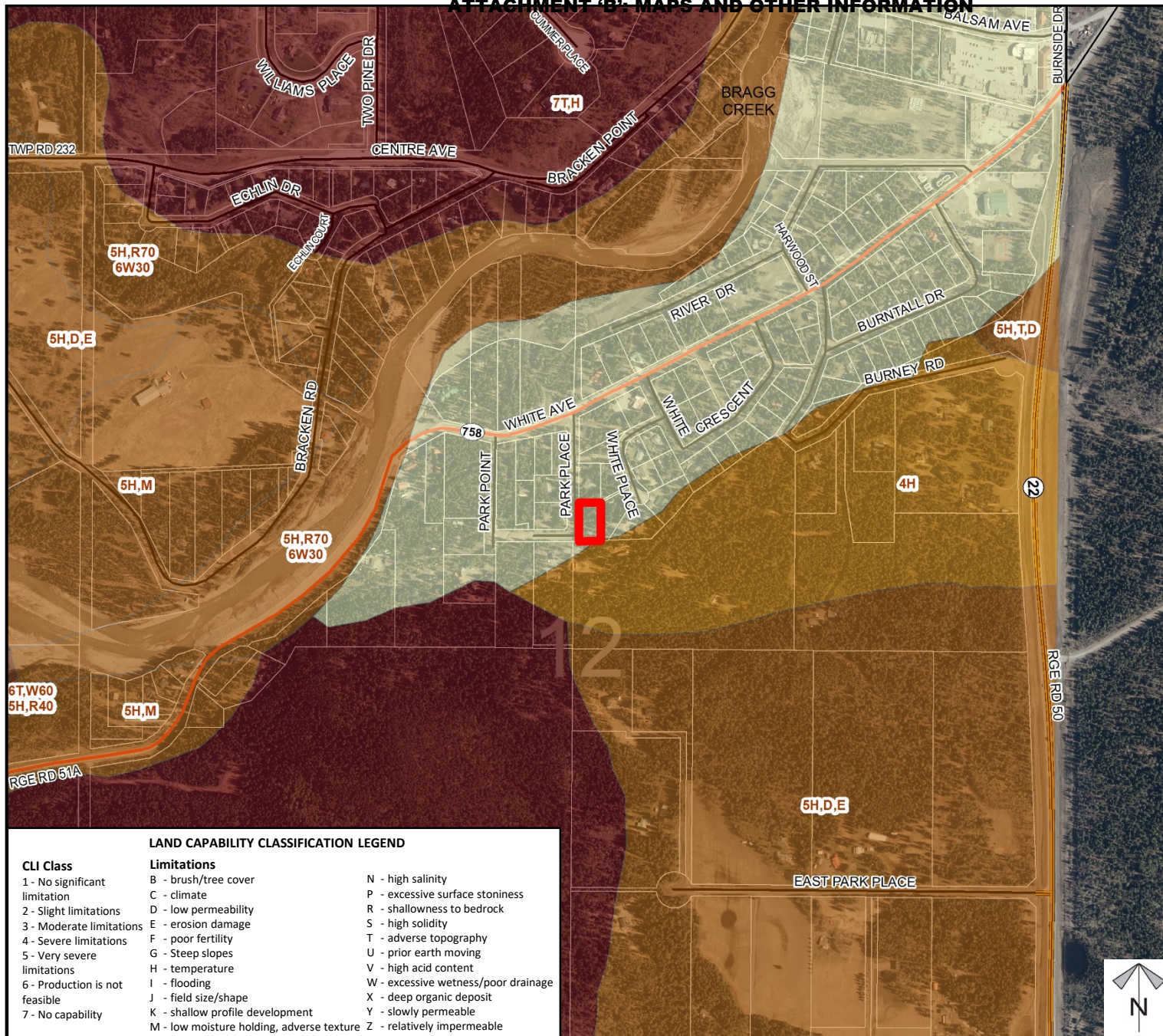
- Subject Lands
- Contour - 2 meters
- Riparian Setbacks
- Alberta Wetland Inventory
- Surface Water

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Soil Classifications

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Landowner Circulation Area

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and a ± 0.12 hectare (\pm
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Legend

Support



Opposition



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



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From: [REDACTED]
To: [Althea Panaguiton](#)
Subject: [EXTERNAL] - FILE 03912041
Date: November 3, 2020 4:10:10 AM

Do not open links or attachments unless sender and content are known.

Hello, this email is to say I wholeheartedly AGREE with the subdivision for PL20200135 in Bragg Creek.

We need more densification and diversification in the Hamlet.

Thank-you,
Sherri Olsen

[REDACTED]