

## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission  
Subdivision Authority

**DIVISION:** 4

**DATE:** February 10, 2021

**APPLICATION:** PL20190112

**FILE:** 03305007

**SUBJECT:** Subdivision Item: Residential, Rural District (R-RUR)

**APPLICATION:** To create a  $\pm 1.60$  hectare ( $\pm 3.95$  acre) parcel with a  $\pm 6.69$  hectare ( $\pm 16.53$  acre) remainder.

**GENERAL LOCATION:** Located approximately 0.41 kilometres (0.25 miles) north of Township Road 230 and on the west side of Range Road 284.

**LAND USE DESIGNATION:** Residential, Rural District (R-RUR)

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

### OPTIONS:

Option #1: THAT Subdivision Application PL20190112 be approved with the conditions noted in Attachment 'B'.

Option #2: THAT Subdivision Application PL20190112 be refused

### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Scott Thompson, 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.

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act</i>;</li> <li>• Subdivision and Development Regulations;</li> <li>• Municipal Development Plan;</li> <li>• City of Calgary/Rocky View County Intermunicipal Development Plan</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• Phase 1 Groundwater Assessment (Groundwater Information Technologies Ltd., June 2018)</li> </ul>
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APPLICABLE FEE/LEVY	APPROXIMATE AMOUNT OWING
<i>TRANSPORTATION OFFSITE LEVY</i>	NA (Deferred as per bylaw)
<i>MUNICIPAL RESERVE (\$/ACRE)</i>	NA (Previously provided)

*Wastewater*

A Level IV Private Sewage Treatment System (PSTS) Assessment was required to confirm the wastewater treatment capacity of the lands. As the applicant had not provided the PSTS Level IV, the application was tabled by the Municipal Planning Commission on September 3, 2020 until the assessment was provided.

The applicant has now provided the Level IV PSTS Assessment with no further concerns.

*Transportation*

The lands are fully designated Residential, Rural District (R-RUR), this application is proposing the creation of one 3.95 acre parcel. There is an existing gravel approach and a farm approach accessing Lot 1. As such, a new gravel approach is required to provide access to Lot 2.

Additionally, Range Road 284 is a Network B Road in the County's Long Range Transportation Plan, ultimately requiring a 30m right of way. The current right of way width is 20 m. As a condition of subdivision, the applicant by Plan of Survey will dedicate 5.0 m along the entire eastern boundary of the subject lands in order to accommodate future road upgrades.

*Policy Analysis*

The previous redesignation application was considered in accordance with the County Plan. The lands are located within a residential growth corridor of the City of Calgary/Rocky View County Intermunicipal Development Plan. The City of Calgary opposed the application at the time of redesignation, citing non-compliance with the County Plan and the challenges associated with future development within fragmented lands.

## Tentative Plan

### Subdivision Proposal

To create a  $\pm 1.60$  hectare ( $\pm 3.95$  acre) parcel with a  $\pm 6.69$  hectare ( $\pm 16.53$  acre) remainder.

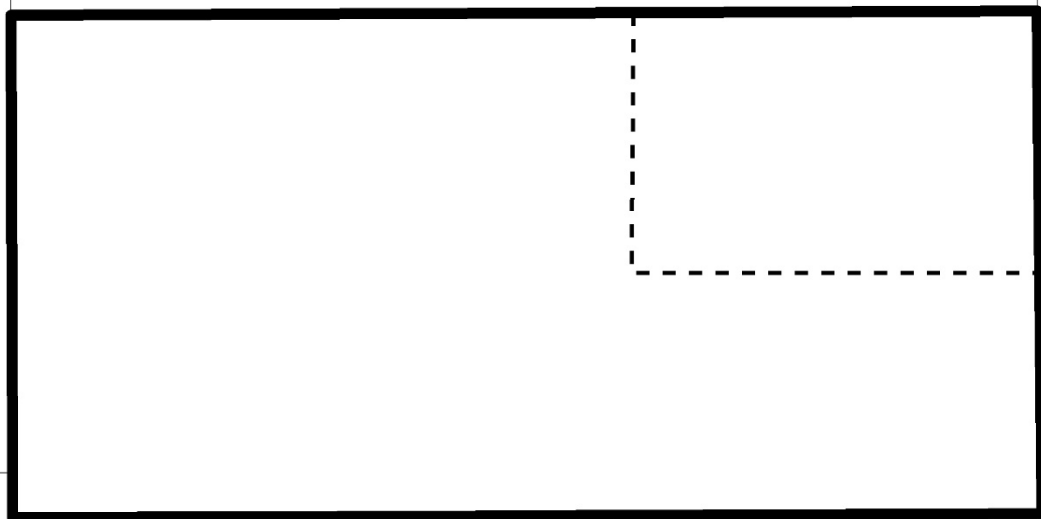
### Legend

<i>Dwelling</i>	
<i>Building</i>	
<i>Water Well</i>	
<i>Wastewater</i>	
<i>Existing Approach</i>	
<i>New Approach</i>	
<i>Driveway</i>	
<i>Road Widening</i>	
<i>Road Acquisition</i>	

### 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.

*Division: 2*  
*Roll: 03305007*  
*File: PL20200105-130*  
*Printed: Jan 05, 2021*  
*Legal: A portion of SE-05-23-W04M*



RGE RD 284



**CONCLUSION:**

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

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Executive Director  
Community Development Services

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Chief Administrative Officer

ST/NM/sl

**ATTACHMENTS:**

ATTACHMENT ‘A’: Maps and Other Information

ATTACHMENT ‘B’: Approval Conditions

ATTACHMENT ‘C’: Public Submissions



ROCKY VIEW COUNTY

## ATTACHMENT 'A': MAPS AND OTHER INFORMATION

<b>DATE APPLICATION RECEIVED:</b> August 16, 2019	<b>DATE DEEMED COMPLETE:</b> October 28, 2020
<b>GROSS AREA:</b> ± 8.28 hectares (± 20.47 acres)	<b>LEGAL DESCRIPTION:</b> Block 2, Plan 628 LK within SE-5-23-28-W4M
<b>APPEAL BOARD:</b> Municipal Government Board	
<b>HISTORY:</b> <i>January 23, 2018:</i> Subject lands are redesignated from Agricultural Holdings District to Residential, Rural District (R-RUR) District.	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> The application was circulated to 22 adjacent landowners and no letters were received in response. 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.	



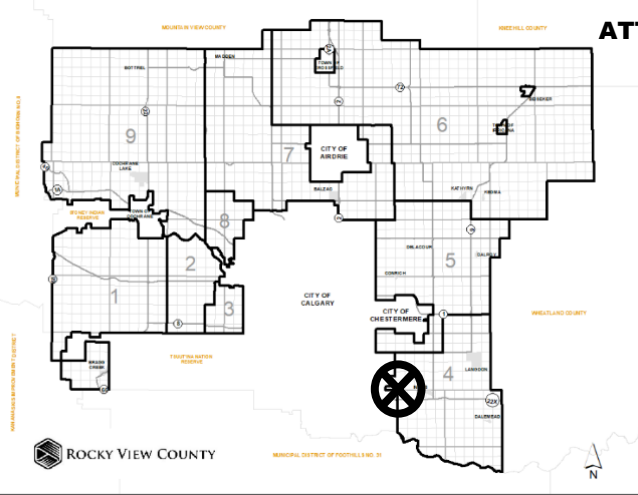


## Location & Context

### Subdivision Proposal

To create a  $\pm 1.60$  hectare ( $\pm 3.95$  acre) parcel with a  $\pm 6.69$  hectare ( $\pm 16.53$  acre) remainder.

### ATTACHMENT 'A': MAPS AND OTHER INFORMATION



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 W04M



## Development Proposal

### Subdivision Proposal

To create a  $\pm 1.60$  hectare ( $\pm 3.95$  acre) parcel with a  $\pm 6.69$  hectare ( $\pm 16.53$  acre) remainder.



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## Environmental

Subdivision Proposal

To create a  $\pm 1.60$  hectare ( $\pm 3.95$  acre) parcel with a  $\pm 6.69$  hectare ( $\pm 16.53$  acre) remainder.



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

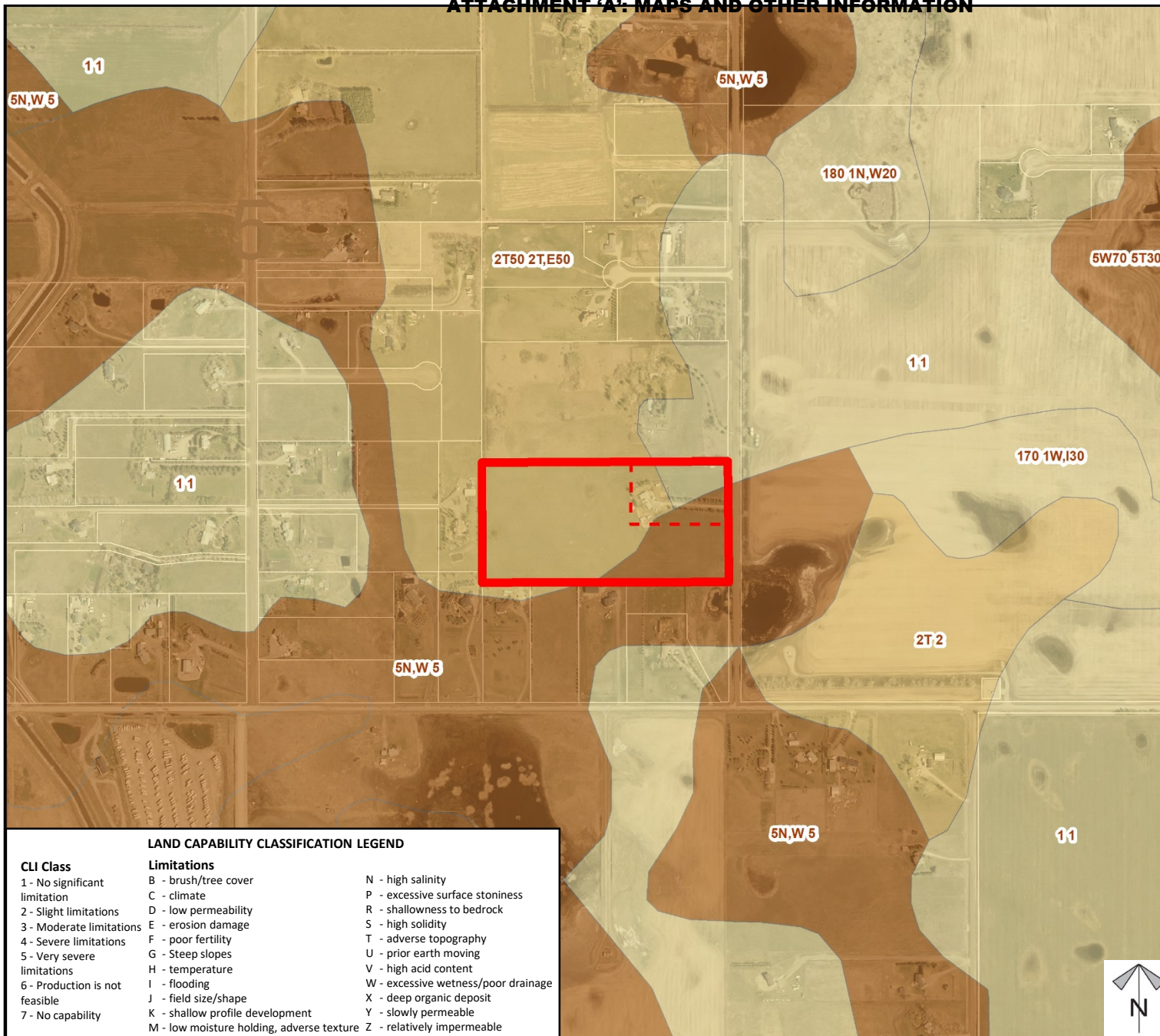
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## Soil Classifications

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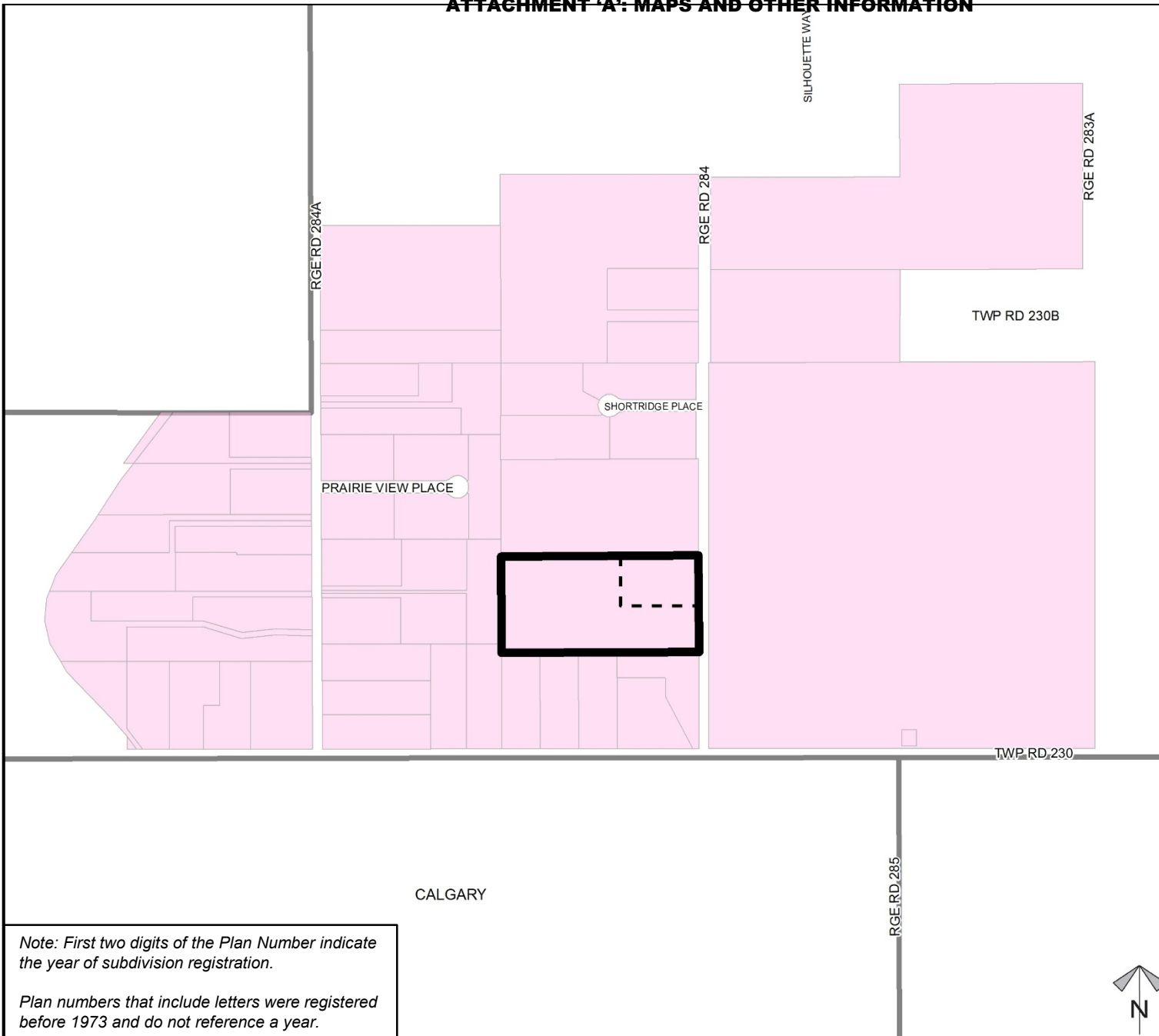


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## Landowner Circulation Area

### Subdivision Proposal

To create a  $\pm 1.60$  hectare ( $\pm 3.95$  acre) parcel with a  $\pm 6.69$  hectare ( $\pm 16.53$  acre) remainder.



### Legend

Support



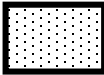
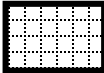
Opposition



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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**Schedule 'A'****Bylaw  
C-7979-2020****Amendment****FROM**Ranch and Farm  
District**TO**Residential Two  
District**FROM**Ranch and Farm  
District**TO**Residential One  
District*Division: 2**Roll: 03305007**File: PL20200105-130**Printed: Jan 05, 2021**Legal: A portion of SE-05-23-  
W04M*



**ATTACHMENT 'B': APPROVAL CONDITIONS**

- A. The application to create a  $\geq 1.60$  hectare ( $\geq 3.95$  acre) parcel with a  $\pm 6.69$  hectare ( $\pm 16.52$  acre) remainder, within Block 2, Plan 628 LK, SE-5-23-28-W4M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is recommended to be approved.
- 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.
- 2) The Owner is to dedicate, by Plan of Survey, a 5.0 metres wide portion of land for road widening along the eastern boundary of Lots 1 & 2, as shown on the approved Tentative Plan.

**Transportation and Access**

- 3) The Owner shall construct a new gravel approach accessing Lot 2.

**Site Servicing**

- 4) The Owner is to enter into a Deferred Services Agreement with the County, to be registered on title for each of the proposed Lots 1-2, indicating the following:
  - a) Requirements for each future Lot Owner to connect to County piped wastewater, potable water, and stormwater systems at their cost when such services become available;
  - b) Requirements for decommissioning and reclamation once County servicing becomes available;

**Developability**

- 5) The Owner is to provide and implement a Site-Specific Stormwater Management Plan that meets the requirements of all regional plans for the area and the County Servicing Standards. Implementation of the Site-Specific Storm Water Plan shall include:
  - a) Registration of any required easements, utility rights-of-way, and utility right-of-way agreements;
  - b) Provision of necessary approvals and compensation to Alberta Environment and Parks for wetland loss and mitigation;



## ROCKY VIEW COUNTY

- c) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system; and
- d) Should the Storm Water Management Plan indicate that improvements are required, the Applicant/Owner shall enter into a Development Agreement (Site Improvements/Services Agreement) with the County.

*Payments and Levies*

- 6) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

*Taxes*

- 7) 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.

## E. 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



ROCKY VIEW COUNTY

**APPENDIX 'C': LETTERS**

NO LETTERS RECEIVED