

ATTACHMENT F: RECOMMENDED CONDITIONS OF APPROVAL

- A. THAT the application to subdivide create a ± 17.8 hectare (44.0 acre) parcel with a ± 12.8 hectare (31.6 acre) remainder from Lot 1, Block 1, Plan 0810080 within SW-20-24-02-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 9, 18, and 19 of the *Matters Related to Subdivision and Development Regulation*, and the *Municipal Development Plan (County Plan)*, 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. In accordance with Section 20(1) of the *Matters Related to Subdivision and Development Regulation*, the Subdivision Authority, with authorization from Alberta Transportation and Economic Development on behalf of the Minister of Transportation, varies the requirements of Sections 18 with regards to subdivision approvals within the prescribed distance from a highway right of way.
- D. In accordance with Section 654(2) the Subdivision Authority is of the opinion that the proposed subdivision would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment, or value of neighbouring parcel of land; and the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.
1. The Subdivision Authority acknowledges the existing dwelling on proposed Lot 1 does not meet the minimum front yard setback requirement of 45.0 metres from a County Road, as per the A-SML land use district (Section 315, *Land Use Bylaw*) and considers this dwelling as legally non-conforming.
 2. The Subdivision Authority acknowledges the approximately 212 m² of maximum single-detached dwelling parcel coverage on proposed Lot 1 and considers this coverage as non-conforming to the proposed parcel.
- E. 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.
 - a) A Plan of Survey, including the Application number (PL20230142) and Roll number (08814007) of the parcel;
 - b) A Surveyor's Affidavit; and
 - c) Landowner's Consent to Register Plan of Survey.

Development Agreement

- 2) The Owner shall enter into and comply with a Development Agreement pursuant to Section 655 of the *Municipal Government Act* in accordance with the approved tentative plan and shall include the following:
 - a) Construction of a regional low volume standard road for approximately 480 meters, complete with a temporary off-set cul-de-sac, in accordance with the County Servicing Standards,- including signage, approaches and any necessary easements and agreements
 - b) Realignment or upgrade of the existing at-grade AT intersection if required
 - c) Preparation and Implementation of the recommendations of the Construction Management Plan;
 - d) Preparation and Implementation of the recommendations of the Erosion and Sedimentation Control Plan;
 - e) Preparation and Implementation of the recommendations of the Geotechnical Report;
 - f) Preparation and Implementation of the recommendations of the Stormwater Management Report; and
 - g) Obtaining approval for a road name by way of application to and consultation with the County.

Transportation

- 3) The Owner is to enter into a Road Acquisition Agreement with the County, to be registered by Caveat on the title of the proposed Lot 2, to serve as notice that those lands are intended for future development as a County road, as per the approved Tentative Plan. The Agreement shall include.
 - a) The provision of approximately ± 0.56 ha (± 1.38 ac) road acquisition along the existing driveway on the proposed Lot 2; and
 - b) Land is to be purchased for \$1.00 by the County.
- 4) The Owner is to enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of the proposed Lot 2, that restricts the erection of any structure on or within 15 metres of a future road right-of-way, as shown on the approved Tentative Plan

Municipal Reserve

- 5) The provision of Reserve in the amount of 10% of the area of Lot 1, as determined by the Plan of Survey is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal (Black Valuation Group Ltd., January 2024), pursuant to Section 666(3) of the *Municipal Government Act*;
 - a) Reserves for the remainder of Lot 1, Block 1, Plan within SW-20-24-02-W05M are to be deferred without Caveat, pursuant to Section 663 of the *Municipal Government Act*;

Payments

- 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*.

F. 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.

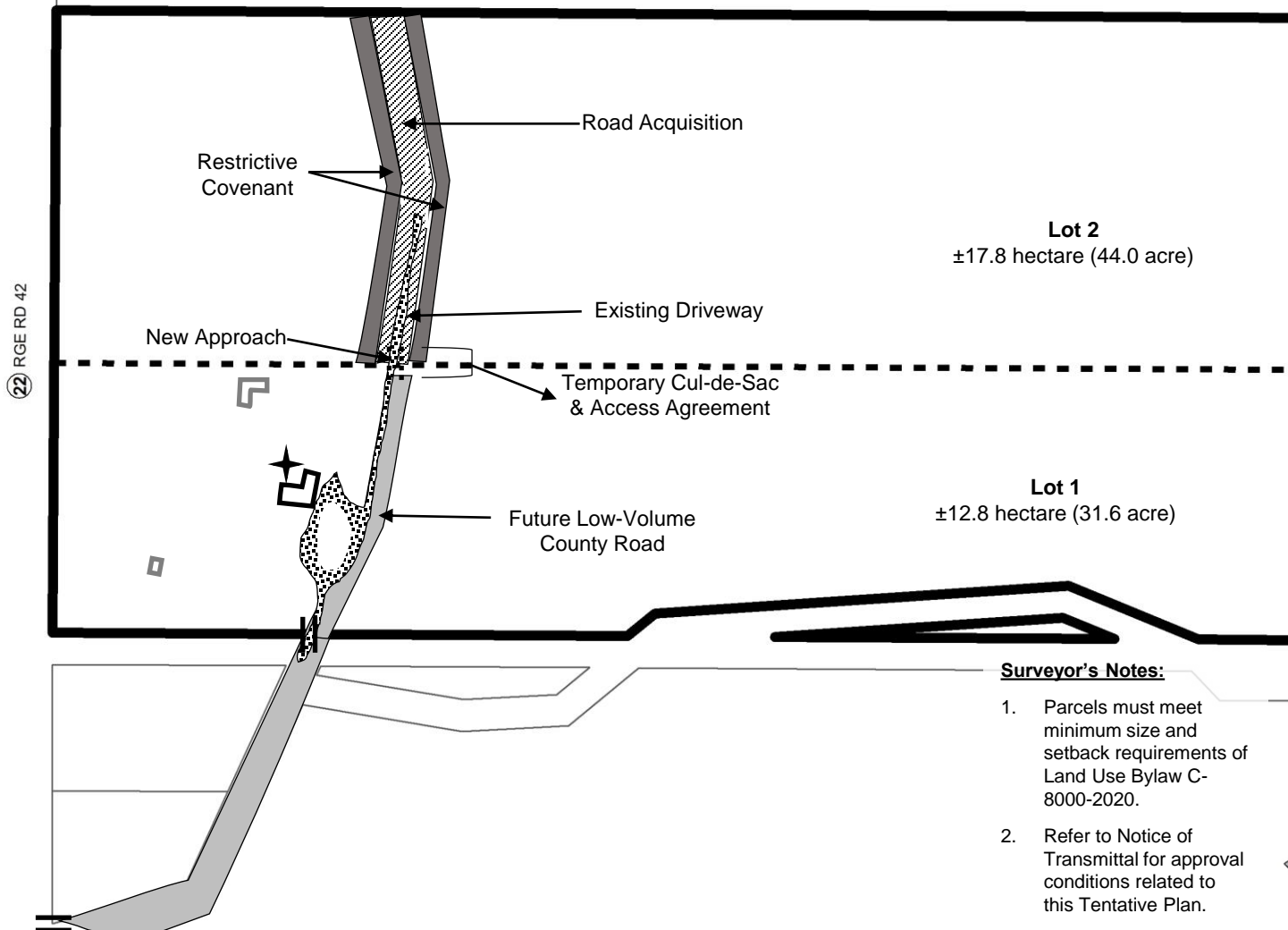
Tentative Plan

Subdivision Proposal

To create a ± 17.8 hectare (44.0 acre) parcel with a ± 12.8 hectare (31.6 acre) remainder.

Legend

Dwelling	
Building	
Water Well	
Wastewater	
Existing Approach	
New Approach	
Driveway	
Future County Road	
Road Acquisition	
Restrictive Covenant	



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: 4
 Roll: 08814007
 File: PL20230142
 Printed: Nov 24, 2023
 Legal: A portion of SW-14-28-4-W5M