

ATTACHMENT F: RECOMMENDED CONDITIONS OF APPROVAL

- A. THAT the application to create 15 residential parcels ranging from ± 0.82 hectares (± 2.00 acres) to ± 1.30 hectares (± 3.20 acres), one ± 0.95 hectare (± 2.35 acre), Public Utility Lot (PUL), and ± 2.80 hectares (± 6.90 acres) of internal subdivision road within Lot 1, Block 1, Plan 161 2666 within SE-08-26-03-W05M, and the remainder of SE-08-26-03-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 9 and 18 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. 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 (PL20230020) and Roll numbers (06708008, 06708015) of the parcels;
 - b) A Surveyor's Affidavit;
 - c) Landowner's Consent to Register Plan of Survey; and
 - d) The Owner is to dedicate, by Plan of Survey, a 5 m wide strip of land for road widening along the eastern boundary of the subject lands.

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 public internal road system for approximately 1100 meters, complete with cul-de-sacs, in accordance with the County Servicing Standards, including signage, approaches and any necessary easements and agreements
 - b) Design and construction of a secondary emergency access road complete with necessary easement agreements in accordance with the County servicing standards
 - c) Design and construction of the Type 2A intersection.
 - d) Construction of the potable water distribution system and service stubs to all proposed lots in accordance with the Rocky View County Standards and to the satisfaction of Rocky View Water Co-op.
 - e) Implementation and construction of stormwater improvements and facilities, in accordance with the recommendations of the Stormwater Management Report, and the registration of any overland drainage easements and/or restrictive covenants, as determined by the Stormwater Management Plan, all to the satisfaction of Alberta Environment and the County.
 - f) Installation of power, natural gas, and telephone lines, and any associated easements or utility rights-of-way.
 - g) Mailbox locations are to be located in consultation with Canada Post, to the satisfaction of the County;
 - h) Implementation and construction of overall site and lot grading.
 - i) Preparation and Implementation of the approved Geotechnical Investigation Report.
 - j) Preparation and Implementation of an approved Construction Management Plan.
 - k) Preparation and Implementation of an approved Erosion and Sedimentation Control Plan.

Geotechnical

- 3) The Owner shall provide an updated Geotechnical Investigation in accordance with the Rocky View County 2013 Servicing Standards to verify that the site is suitable for the proposed buildings, site works, and utilities to the County's satisfaction.
- a) For areas with greater than 1.2 m of fill, a Deep Fill report is required.

Transportation

- 4) The Owner shall provide an Access Right of Way Plan and prepare and register respective Public Emergency Access Easement Agreement on Lots 1-5, Block 1, to provide temporary secondary emergency access in accordance with County Servicing Standards.
- 5) The Owner is to enter into a Road Widening Agreement, to be registered by caveat, respecting the future acquisition of lands for road widening, and shall include:
- a) The provision of 3 m road widening along the eastern boundary of the subject lands;

- b) Land is to be purchased for market value by the County.
- 6) The Owner shall enter into a Road Acquisition Agreement with the County, to be registered by Caveat on the title of Lot 9, Block 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 ± 0.26 ha (± 0.64 ac) road acquisition over Lot 9, Block 2, as shown on the tentative plan;
 - b) Land is to be purchased for \$1.00 by the County.

Restrictive Covenants

- 7) The Owner shall enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of Lot 9, Block 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.
- 8) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's Architectural Guidelines in accordance with 4.6.1.1 of the Glendale Road Conceptual Scheme and to provide a Landscaping Plan for each lot in accordance with Policy 4.6.2.1 of the Glendale Road Conceptual Scheme.

Servicing

- 9) The Owner shall enter into a Development Agreement (Site Improvements/Services Agreement) with the County for proposed lots 1-4 and 6-8, Block 1, and Lots 1-8, Block 2, and shall include the following:
 - a) Accordance with the Level 4 PSTS Assessment, prepared by Almor Testing Services Ltd. (July 31, 2023).
 - b) The installation of a Packaged Sewage Treatment System (or any other specialized PSTS) complying with NSF 40 and/or BNQ standards and any other recommendations.
 - c) Accordance with the Wetland Assessment and Impact Report prepared by Omnia Ecological Services dated November 1, 2023, which includes the requirement to obtain water act approval for disturbing any of the wetlands.
- 10) The Owner is to provide confirmation of the tie-in for connection to Rocky View Water Co-op, an Alberta Environment licensed piped water supplier, for proposed Lots 1-4 and 6-8, Block 1, and Lots 1-8, Block 2. This includes providing the following information:
 - a) The completion of all paperwork for water supply allocation e.g. Water Service Agreement;
 - b) The payment of all necessary fees for the purchase of required capacity units for the proposed subdivision; and
 - c) The allocation and reservation of the necessary capacity.
- 11) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title of Lots 1-4 and 6-8, Block 1, and Lots 1-8, Block 2, indicating:
 - a) Each future Lot Owner is required to connect to County water, wastewater, and stormwater systems at their cost when such services become available;
 - b) Requirements for the decommissioning and reclamation of the onsite water, wastewater and stormwater systems once County servicing becomes available.

- 12) The Owner shall provide an updated Stormwater Management Report, to the County's satisfaction, in accordance with the Nose Creek Watershed Management Plan and the Bearspaw-Glenbow Master Drainage Plan and County Servicing Standards. Implementation of the Stormwater Management Plan shall include the following:
- a) If the recommendations of the Stormwater Management Plan require improvements, then the Owner shall enter into a Development Agreement with the County;
 - b) Registration of any required easements and / or utility rights-of-way;
 - c) Necessary EPEA and water act approvals for storm discharge to natural wetlands and the outfall of the proposed pond;
 - d) Compensation provided to Alberta Environment for wetland loss and mitigation; and
 - e) Any necessary Alberta Environment licensing documentation for the stormwater infrastructure system.
- 13) Utility Easements, Agreements and Plans are to be provided and registered to the satisfaction of ATCO Gas.

Construction

- 14) The Owner shall provide an Erosion and Sediment Control (ESC) Plan, prepared by a qualified professional, identifying ESC measures to be taken during construction. The drawings and plans shall be in accordance with the requirements of the County's Servicing Standards and best management practices.
- 15) The Owner shall provide a Construction Management Plan that 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 management details. Other specific requirements include:
- a) Weed management during the construction phases of the project.
 - b) Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement.
- 16) The Owner shall follow the conditions of the Historical Resources Act approval for subject land, to the satisfaction of Alberta Culture and Status of Women and the County.

Payments & Levies

- 17) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020. The County shall calculate the total owing for the gross development area, as shown in the tentative plan.
- 18) The provision of Municipal Reserve, in the amount of 10% of the Gross Developable Area of ± 12.43 hectares (± 30.72 acres) is to be provided by payment of cash-in-lieu, in accordance with the appraisal report provided by Wernick Omura Singh Real Estate Valuation Advisory, dated April 22, 2024, pursuant to Section 667(1) of the Municipal Government Act.
- a) Instrument #161 279 151 (Deferred Reserve Caveat) is to be discharged.
 - b) The remaining ± 7.31 hectares (± 18.07 acres) of Municipal Reserve owing is to be deferred by Caveat to the remainder land within SE-08-26-03-W05M.

- Municipal Reserve was previously taken as cash in lieu over Lot 1, Block 1, Plan 1612666; therefore, that land was not included in the Gross Developable Area calculation.
- 19) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 15 new lots.

Taxes

- 20) 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*.

Advisory

- 1) As per the approved tentative plan, the current water well servicing Lot 2, Block 2 will not be contained within the boundaries of the parcel; Lot 2, Block 2 shall no longer use the water well, and shall connect to the Rocky View Water Co-op.

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.

Division: 3
Roll: 06708008, 06708015
File: PL20230020
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