

ATTACHMENT E: POLICY REVIEW

Definitions		
Consistent	Generally Consistent	Inconsistent
Clearly meets the relevant requirements and intent of the policy.	Meets the overall intent of the policy and any areas of inconsistency are not critical to the delivery of appropriate development.	Clear misalignment with the relevant requirements of the policy that may create planning, technical or other challenges.

Municipal Government Act (MGA)	
Approval of application	
654	<p><i>(1) A subdivision authority must not approve an application for subdivision approval unless</i></p> <p><i>(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,</i></p> <p><i>(b) the proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,</i></p> <p><i>(c) the proposed subdivision complies with this Part and Part 17.1 and the regulations under those Parts, and</i></p> <p><i>(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.</i></p> <p><i>(1.1) Repealed 2018 c11 s13.</i></p> <p><i>(1.2) If the subdivision authority is of the opinion that there may be a conflict or inconsistency between statutory plans, section 638 applies in respect of the conflict or inconsistency.</i></p> <p><i>(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,</i></p> <p><i>(a) the proposed subdivision would not</i></p> <p><i>(i) unduly interfere with the amenities of the neighbourhood, or</i></p> <p><i>(ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and</i></p> <p><i>(b) the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.</i></p> <p><i>(3) A subdivision authority may approve or refuse an application for subdivision approval.</i></p>
Consistent	The application aligns with the requirements of Section 654(1) of the MGA. Administration has provided recommended conditions of subdivision in Attachment F which would address technical requirements for the proposed subdivision.

Town of Cochrane / M.D. of Rocky View Intermunicipal Development Plan (IDP)	
Agriculture	
2.4.2.6	<i>The subdivision of agricultural land may be permitted in accordance with the appropriate land use districts of the host municipality.</i>
Consistent	The proposed lots meet the minimum parcel size requirements of the Agricultural, Small Parcel District (A-SML p8.1 and A-SML p12.1) within in the <i>Land Use Bylaw</i> .

Water Quality and Flood Protection	
2.8.2.3	<i>Stormwater management systems must be designed and constructed using approved Best Management Practices and each municipality may require enhanced stormwater management standards as conditions warrant.</i>
Consistent	There is an existing stormwater pond that encroaches onto the panhandle of proposed Lot 2. As a recommended condition of subdivision, the landowner is required to reconfigure the stormwater pond, so it does not encroach onto proposed Lot 2. Refer to Attachment F for further details on the recommended condition of subdivision.
2.8.2.7	<i>Both municipalities will endeavour to ensure all sources of potable water supplies within their respective jurisdictions are protected and meet provincial guidelines for water quality.</i>
Consistent	The site plan shows that the proposed Lot 1 will be serviced by a water cistern filled by water which will be trucked in. As a recommended condition of subdivision, the landowner will be required to drill a new well in the proposed lot and provide a Well Driller's Report, as noted in Attachment F.
Reserve Lands	
2.9.2.1	<i>Within urban growth corridors, the preferred methods of providing municipal, school, and/or municipal/school reserve are by land dedication or registration of deferred reserve caveats on title. However, there may be circumstances where the host municipality deems it appropriate to require provision of reserve by other means.</i>
Consistent	As a recommended condition of subdivision, Municipal Reserve in the amount of 10% of the area of proposed Lot 1 is to be deferred by caveat on the title of proposed Lot 1.
Utilities and Servicing	
2.11.2.1	<i>Each municipality will endeavour to secure utility easements and rights-of-way as conditions of subdivision or development approval.</i>
Consistent	FortisAlberta requires an easement for this development. As a recommended condition of subdivision, utility easements, agreements and plans are to be provided and registered to the satisfaction of FortisAlberta. As part of the recommended condition of subdivision to reconfigure the stormwater pond, so it does not encroach onto proposed Lot 2, the landowner is required to register any overland drainage easement to the satisfaction of the County. Refer to Attachment F for further details on the recommended conditions of subdivision.
2.11.2.3	<i>The adequacy of proposed wastewater systems, stormwater management facilities, and water services, including private on-site systems, should be examined. If piped wastewater and water services are required, compatibility with existing Town and/or M.D. servicing policies should be considered.</i>
Consistent	Proposed Lot 1 is to be serviced by a septic holding tank. As recommended condition of subdivision, the landowner shall submit a Level 2 Private Sewage Treatment System (PSTS) Assessment to evaluate the suitability of proposed Lot 1 for PSTS. The site plan shows that the proposed Lot 1 will be serviced by a water cistern filled by water which will be trucked in. As a recommended condition of subdivision, the landowner will be required to drill a new well in the proposed lot and provide a Well Driller's Report. As part of the recommended condition of subdivision to reconfigure the stormwater pond, so it does not encroach onto proposed Lot 2, the landowner is required to prepare and implement the recommendations of an approved updated stormwater management report through a Development Agreement. Refer to Attachment F for further details on the recommended conditions of subdivision.

Municipal Development Plan (County Plan)	
Financial Sustainability – Development	
6.1	<i>Direct new development to areas of existing infrastructure.</i>
Generally Consistent	The application is generally consistent with Policy 8.18 regarding subdivision for agricultural purposes.
6.2	<i>On-site and off-site hard infrastructure costs related to new development are the developer's responsibility.</i>
Consistent	The landowner is responsible for all on-site and off-site hard infrastructure costs related to the proposed development.
6.4	<i>All identified hard infrastructure, or land necessary for infrastructure placement, shall be provided by the developer as part of the subdivision or development permit approval process.</i>
Consistent	The landowner is required to provide all hard infrastructure and land for infrastructure placement. Refer to Attachment F for further details on the recommended conditions of subdivision.
Environment – Water	
7.4	<i>Protect ground water and ensure use does not exceed carrying capacity by:</i> <ul style="list-style-type: none"> a. <i>supporting long term ground water research and monitoring programs;</i> b. <i>mitigating the potential adverse impacts of development on groundwater recharge areas;</i> c. <i>adhering to provincial ground water testing requirements, as part of the development approval process; and</i> d. <i>encouraging and facilitating the capping of abandoned water wells to protect against ground water leakage and cross contamination.</i>
Consistent	The site plan shows that the proposed Lot 1 will be serviced by a water cistern filled by water which will be trucked in. As a recommended condition of subdivision, the landowner will be required to drill a new well in the proposed lot and provide a Well Driller's Report, as noted in Attachment F.
Environment – Stormwater and Wastewater	
7.6	<i>Require environmentally sustainable wastewater disposal practices to protect watersheds and surface/ground water quality. Wastewater treatment systems should not exceed the land's carrying capacity.</i>
Consistent	Proposed Lot 1 is to be serviced by a septic holding tank. As recommended condition of subdivision, the landowner shall submit a Level 2 Private Sewage Treatment System (PSTS) Assessment to evaluate the suitability of proposed Lot 1 for PSTS, as noted in Attachment F.
7.7	<i>Effectively treat stormwater to protect surface water, riparian areas, and wetlands.</i>
Consistent	There is an existing stormwater pond that encroaches onto the panhandle of proposed Lot 2. As a recommended condition of subdivision, the landowner is required to reconfigure the stormwater pond, so it does not encroach onto proposed Lot 2. Refer to Attachment F for further details on the recommended condition of subdivision.
7.10	<i>Support the use of constructed stormwater wetlands for treatment and storage of surface runoff.</i>
Consistent	There is an existing stormwater pond that encroaches onto the panhandle of proposed Lot 2. As a recommended condition of subdivision, the landowner is required to reconfigure the stormwater pond, so it does not encroach onto proposed Lot 2. Refer to Attachment F for further details on the recommended condition of subdivision.

Environment – Land and Environmental Stewardship	
7.16	<i>Development shall be planned, designed, and constructed to protect alluvial aquifers.</i>
Consistent	The site plan shows that the proposed Lot 1 will be serviced by a water cistern filled by water which will be trucked in. As a recommended condition of subdivision, the landowner will be required to drill a new well in the proposed lot and provide a Well Driller's Report, as noted in Attachment F.
Environment – Construction Practices	
7.24	<i>Require best management construction practices to reduce wind and water erosion of soils and to suppress dust dispersion.</i>
Consistent	As part of the recommended condition of subdivision to reconfigure the stormwater pond, so it does not encroach onto proposed Lot 2, the landowner is required to prepare and implement the recommendations of an approved Construction Management Plan through a Development Agreement. Refer to Attachment F for further details on the recommended conditions of subdivision.
7.25	<i>Encourage and support proper disposal and recycling of solid waste from construction.</i>
Consistent	As part of the recommended condition of subdivision to reconfigure the stormwater pond, so it does not encroach onto proposed Lot 2, the landowner is required to prepare and implement the recommendations of an approved Construction Management Plan through a Development Agreement. Refer to Attachment F for further details on the recommended conditions of subdivision.
Agriculture – Business	
8.7	<i>Support and encourage agriculture operations and agricultural related economic activity.</i>
Consistent	The application indicates that this subdivision would allow for the continued viability of an existing equine veterinary operation (Burwash Equine Services) on the proposed parcel and a separate grazing use on the proposed remainder parcel.
Agriculture – Land Use	
8.14	<i>Support traditional agriculture and new, innovative agricultural ventures.</i>
Consistent	The application indicates that this subdivision would allow for the continued viability of an existing equine veterinary operation (Burwash Equine Services) on the proposed parcel and a separate grazing use on the proposed remainder parcel.
8.15	<i>Support and encourage the viability and flexibility of the agriculture sector by allowing a range of parcel sizes, where appropriate.</i>
Consistent	The proposed lots meet the minimum parcel size requirements of the Agricultural, Small Parcel District (A-SML p8.1 and A-SML p12.1) within in the <i>Land Use Bylaw</i> .
8.16	<i>All redesignation and subdivision approvals shall address the development requirements of section 29.</i>
Consistent	Administration has noted recommended conditions of subdivision in Attachment F which would address technical requirements for the proposed subdivision.
Agriculture – Redesignation and Subdivision for Agricultural Purposes	
8.18	<i>Redesignation and subdivision to smaller agriculture parcels as a new or distinct agricultural operation may be supported. Proposals will be evaluated on the following criteria:</i> <i>a. A similar pattern of nearby small agricultural operations;</i> <i>b. A planning rationale justifying why the existing land use and parcel size cannot accommodate the new or distinct agricultural operation;</i>

	<p>c. A demonstration of the need for the new agriculture operation;</p> <p>d. An assessment of the proposed parcel size and design, to demonstrate it is capable of supporting the new or distinct agricultural operation. Site assessment criteria include:</p> <ul style="list-style-type: none"> i. suitable soil characteristics and topography; ii. suitable on-site infrastructure for the proposed use. Required infrastructure may include access areas, water wells, irrigation and sewage infrastructure, and manure management capability; and iii. compatibility with existing uses on the parent parcel and adjacent lands; <p>e. An assessment of the impact on, and potential upgrades to, County infrastructure; and</p> <p>f. An assessment of the impact on the environment including air quality, surface water, and groundwater.</p>
Generally Consistent	<p>The tentative plan proposes to subdivide the 68.52 acre parcel into two parcels, approximately 48.51 acres and 20.01 acres in size. The size and design of the proposed parcels is considered compatible with the other two agricultural parcels within the subject quarter section. The purpose of the application is to separate an existing equine veterinary operation (Burwash Equine Services) from the existing residence and grazing lands, which is a limited planning rationale for subdivision. The soil characteristics of the site have moderate limitations to crop production due to climate. The application is not required to demonstrate water and sanitary serving for the proposed 48.51 acre parcel in accordance with the County's Residential Water and Sewer Requirements Policy (C-411) as the proposed parcel is greater than 30 acres in size. Water and sanitary servicing for the proposed 20.01 acre lot are to be addressed as recommended conditions of subdivision. The proposed new lots are to be accessed by a mutual access easement over the northern adjacent parcel (Lot 2, Block 2, Plan 0513324). As a recommended condition of subdivision, a Road Acquisition Agreement is to be registered over the panhandle and the western boundary of proposed Lot 2 for the future development of a County road. There is an existing stormwater pond that encroaches onto the panhandle of proposed Lot 2. As a recommended condition of subdivision, the landowner is required to reconfigure the stormwater pond, so it does not encroach onto proposed Lot 2. Refer to Attachment F for further details on the recommended conditions of subdivision. In accordance with the <i>Land Use Bylaw</i> Section 149, there is no limit on the number of animal units that are permitted on parcels greater than 39.78 acres in size. The landowner is responsible for maintaining pastures to ensure that there is no overgrazing and managing manure to ensure there is no runoff onto adjacent lands, riparian areas, or watercourses, in a manner that mitigates odour, in accordance with Section 148 of the <i>Land Use Bylaw</i>.</p>
Reserves – Municipal, School, and Community Reserves	
13.2	<i>The County may defer all or a portion of the required reserves by registering a deferred reserve caveat when the reserve could be provided through future subdivision.</i>
Consistent	As a recommended condition of subdivision, Municipal Reserve in the amount of 10% of the area of proposed Lot 1 is to be deferred by caveat on the title of proposed Lot 1.
13.3	<i>The acquisition, deferral, and disposition of reserve land, and use of cash-in-lieu shall adhere to County Policy, agreements with local school boards, and the requirements of the Municipal Government Act.</i>

Consistent	As a recommended condition of subdivision, Municipal Reserve in the amount of 10% of the area of proposed Lot 1 is to be deferred by caveat on the title of proposed Lot 1.
13.4	<i>Reserves should be provided to the maximum amount allowed by the Municipal Government Act.</i>
Consistent	As a recommended condition of subdivision, Municipal Reserve in the amount of 10% of the area of proposed Lot 1 is to be deferred by caveat on the title of proposed Lot 1.
13.8	<i>When determining the amount, type, location, and shape of the reserve land within an intermunicipal development plan area, the adjacent municipality shall be consulted prior to determining the reserve requirement.</i>
Consistent	The application was circulated to the Town of Cochrane, and the Town of Cochrane prefers that Municipal Reserve is deferred and registered on title.
Transportation	
16.1	<i>Partner and co-operate with the provincial government and neighbouring municipalities to protect and improve, where necessary, regional transportation corridors.</i>
Consistent	The application was circulated to Alberta Transportation and Economic Corridors, and they provided no concerns.
16.3	<i>New development shall make use of, extend, and enhance existing transportation infrastructure where feasible.</i>
Consistent	As a recommended condition of subdivision, a Road Acquisition Agreement over the panhandle and western boundary of proposed Lot 2 is required for future development of a County road. There is an existing stormwater pond that encroaches onto the panhandle of proposed Lot 2, where the Road Acquisition Agreement is to be registered. As a recommended condition of subdivision, the landowner is required to reconfigure the stormwater pond, so it does not encroach onto proposed Lot 2. Refer to Attachment F for further details on the recommended condition of subdivision.
Utility Services – General	
17.1	<i>New development shall, in accordance with master plans:</i> <i>a. make use of, extend, and enhance existing utility infrastructure where feasible;</i> <i>b. provide water, wastewater, and shallow utility services; and</i> <i>c. provide stormwater systems where necessary.</i>
Consistent	Proposed Lot 1 is to be serviced by a septic holding tank. As recommended condition of subdivision, the landowner shall submit a Level 2 Private Sewage Treatment System (PSTS) Assessment to evaluate the suitability of proposed Lot 1 for PSTS. The site plan shows that the proposed Lot 1 will be serviced by a water cistern filled by water which will be trucked in. As a recommended condition of subdivision, the landowner will be required to drill a new well in the proposed lot and provide a Well Driller's Report. As part of the recommended condition of subdivision to reconfigure the stormwater pond, so it does not encroach onto proposed Lot 2, the landowner is required to prepare and implement the recommendations of an approved updated stormwater management report through a Development Agreement. FortisAlberta requires an easement for this development. As a recommended condition of subdivision, utility easements, agreements and plans are to be provided and registered to the satisfaction of FortisAlberta. Refer to Attachment F for further details on the recommended conditions of subdivision.
17.2	<i>Allow a variety of water, wastewater, and stormwater treatment systems, in accordance with provincial/federal regulations and County Policy.</i>

Consistent	Proposed Lot 1 is to be serviced by a septic holding tank. As recommended condition of subdivision, the landowner shall submit a Level 2 Private Sewage Treatment System (PSTS) Assessment to evaluate the suitability of proposed Lot 1 for PSTS. The site plan shows that the proposed Lot 1 will be serviced by a water cistern filled by water which will be trucked in. As a recommended condition of subdivision, the landowner will be required to drill a new well in the proposed lot and provide a Well Driller's Report. As part of the recommended condition of subdivision to reconfigure the stormwater pond, so it does not encroach onto proposed Lot 2, the landowner is required to prepare and implement the recommendations of an approved updated stormwater management report through a Development Agreement. Refer to Attachment F for further details on the recommended conditions of subdivision.
Utility Services – Water Supply	
17.6	<i>Water well performance and deliverability testing shall be required of all development relying on ground water, in accordance with the requirements of the Water Act.</i>
Consistent	The site plan shows that the proposed Lot 1 will be serviced by a water cistern filled by water which will be trucked in. As a recommended condition of subdivision, the landowner will be required to drill a new well in the proposed lot and provide a Well Driller's Report, as noted in Attachment F. Should the applicant intend to use a groundwater well for any commercial use the applicant shall be responsible for obtaining all necessary licensing and approval from Ministry of Environment and Protected Areas.
Utility Services – Wastewater Management	
17.10	<i>New business development shall provide wastewater treatment, in accordance with County Policy, by:</i> <i>a. connecting to, or constructing, regional or decentralized wastewater services; or</i> <i>b. using pump out tanks in non-serviced areas.</i>
Consistent	Proposed Lot 1 is to be serviced by a septic holding tank. As recommended condition of subdivision, the landowner shall submit a Level 2 Private Sewage Treatment System (PSTS) Assessment to evaluate the suitability of proposed Lot 1 for PSTS. Refer to Attachment F for further details on the recommended condition of subdivision.
17.11	<i>Wastewater treatment systems shall not exceed the land's carrying capacity; in developing such systems, consideration shall be given to the following requirements:</i> <i>a. Development proponents shall assess the land's carrying capacity to determine system requirements in accordance with County Policy. The type of private on-site wastewater treatment system will be dependent on lot density, lot size, and soil capability.</i> <i>b. Construction and connection to a regional or decentralized wastewater treatment system shall be required when the density of development exceeds thresholds identified in County Policy.</i>
Consistent	Proposed Lot 1 is to be serviced by a septic holding tank. As recommended condition of subdivision, the landowner shall submit a Level 2 Private Sewage Treatment System (PSTS) Assessment to evaluate the suitability of proposed Lot 1 for PSTS. Refer to Attachment F for further details on the recommended condition of subdivision.
17.12	<i>The ownership, operation, and maintenance of private on-site wastewater treatment systems, or wastewater holding tanks shall be the responsibility of the landowner.</i>

Consistent	The landowner is solely responsible for private on-site wastewater treatment.
Utility Services – Stormwater	
17.16	<i>Stormwater ponds required for stormwater storage and treatment shall be provided as per the Servicing Standards.</i>
Consistent	There is an existing stormwater pond that encroaches onto the panhandle of proposed Lot 2. As a recommended condition of subdivision, the landowner is required to reconfigure the stormwater pond, so it does not encroach onto proposed Lot 2. Refer to Attachment F for further details on the recommended condition of subdivision.

Land Use Bylaw C-8000-2020	
A-SML Agricultural, Small Parcel District	
312	<i>Minimum Parcel Size: a) 20.2 ha (49.92 ac) b) The minimum size of parcels designated with the letter “p” is the number indicated on the Land Use Map c) Notwithstanding b) above, the number following the “p” shall not be less than 8.1 ha (20.01 ac)</i>
Consistent	Proposed Lot 1 is designated as A-SML p8.1 and is ± 8.10 ha (± 20.01 ac) in size. Proposed Lot 2 is designated as A-SML p12.1 and is ± 19.63 hectare (± 48.51 acre) in size.