

**ATTACHMENT F: RECOMMENDED CONDITIONS OF APPROVAL**

- A. THAT the application to create a  $\pm$  8.10 hectare ( $\pm$  20.01 acre) parcel with a  $\pm$  19.63 hectare ( $\pm$  48.51 acre) remainder, 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. 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 (PL20220220) and Roll number (05814006) of the parcel; and
  - b) 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) Reclamation and reconfiguration of the existing stormwater pond in accordance with the recommendations of the updated stormwater management report, and the registration of any overland drainage easements to the satisfaction of the County.
- b) Preparation and implementation of the recommendations of the approved updated Stormwater Management Plan;
- 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.

### ***Transportation***

- 3) Access to Lots 1 and 2 will be provided by a mutual approach off Highway 22. The owner is to provide an access right of way plan, and prepare and register respective easements on each title, where required, in accordance with the County Servicing Standards, in order to provide access to Lots 1 and 2.
- 4) The Owner is to enter into a Road Acquisition Agreement with the County, to be registered by Caveat on the title of 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  $\pm 0.81$  ha ( $\pm 2.00$  ac) road acquisition along the entire 12.5 m wide portion of Lot 2 for  $\pm 1.00$  km in length, as shown on the tentative plan;
  - b) Land is to be purchased for \$1.00 by the County.
- 5) The Owner is to enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of Lots 1 and 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.

### ***Sanitary/Waste Water***

- 6) The Owner is to submit a complete Level 2 Private Sewage Treatment System (PSTS) Assessment to evaluate the suitability of the proposed lot for the use of PSTS, in accordance with the Model Process for subdivision Approval and Private Sewage and the Alberta Private Sewage Systems Standard of Practice, and to support future residential development on the proposed Lot 1.

### ***Water Supply and Waterworks***

- 7) The Owner is to drill a new well in the proposed lot and provide a Well Driller's Report confirming a minimum pump rate of 1.0 igpm to support future residential development on the proposed Lot 1.

### ***Utility Right of Way***

- 8) Utility Easements, Agreements and Plans are to be provided and registered to the satisfaction of FortisAlberta.

***Municipal Reserve***

- 9) The provision of Municipal Reserve, in the amount of 10% of Lot 1, is to be deferred by caveat, pursuant to Section 669(2) of the *Municipal Government Act*; the remainder is to remain deferred without caveat, pursuant to Section 663 of the *Municipal Government Act*.

***Payments***

- 10) 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***









- 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*.

**Tentative Plan**

**Subdivision Proposal**

To create a ± 8.10 hectare (± 20.01 acre) parcel with a ± 19.63 hectare (± 48.51 acre) remainder.

**Legend**

|                          |   |
|--------------------------|---|
| Dwelling                 |  |
| Building                 |  |
| Water Well               |  |
| Existing Stormwater Pond |  |
| Existing Approach        |  |
| Driveway                 |  |
| Restrictive Covenant     |  |
| Road Acquisition         |  |

**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: 05814006  
 File: PL20220220  
 Printed: Dec 16, 2022  
 Legal: Lot:3 Block:2  
 Plan:0513324 within NW-14-25-04-W05M

