

ATTACHMENT F: RECOMMENDED CONDITIONS OF APPROVAL

- A. THAT the application to create four ± 0.81 hectare (± 2.00 acre) parcels and one ± 1.62 hectare (± 4.00 acre) parcel, leaving a ± 2.37 hectare (± 5.86 acre) remainder from a ± 7.69 hectare (19.00 acre) parcel within SE-31-23-27-W04M, 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 (PL20220103) and Roll number (03231018) of the parcel;
 - b) Landowner's Consent to Register Plan of Survey.
- 2) The Owner is to provide a Site Plan, prepared by an Alberta Land Surveyor, which confirms the following:
 - a) That Building A, as shown on the approved Tentative Plan, has been removed or relocated to meet the minimum setback distances from the proposed property line, as outlined in the *Land Use Bylaw C-8000-2020, as amended*.
 - b) All existing buildings and structures are to conform to the setback requirements in relation to the new property line, as described in the Residential, Country Residential Land Use District (R-CRD) for the proposed Lot 1, as per the *Land Use Bylaw C-8000-2020, as amended*.

Development Agreement

- 3) The Owner is to enter into a Development Agreement for provision of the following infrastructure and improvements (further details are provided in the various sections below):
 - i. Removal and reclamation of the existing approach off of RGE RD 275A;
 - ii. Construction of a public internal road system (Country Residential Standard 400.4) complete with cul-de-sacs and any necessary easement agreements, including complete approaches to each lot, as shown on the Tentative Plan;
 - iii. Construction of stormwater facilities in accordance with the recommendations of an approved stormwater management plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the stormwater management plan;
 - iv. Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County;
 - v. All necessary site grading;
 - vi. Implementation of the recommendations of the geotechnical investigation;
 - vii. Implementation of the recommendations of the construction management plan;
 - viii. Implementation of the recommendations of ESC plan;
 - ix. Installation of power, natural gas, and telephone lines; and
 - x. Obtaining all necessary approvals from AEP.
 - xi. Dedicating all easements and URWs for utility line assignments and enter into all agreements/contracts for the installation of all underground shallow utilities and street lighting with utility providers to the satisfaction of the County.
 - xii. Dedicating all easements and ROWs and enter into all agreements/contracts for the installation of stormwater/overland drainage facilities, to the satisfaction of the County.
- 4) The Owner shall obtain approval for a road name by way of application to, and consultation with, the County;

Site Servicing

- 5) The Owner shall provide an access right of way plan for the portion of the cul-de-sac bulb to be constructed within the boundary of proposed Lot 5 as shown on the attached tentative plan; and
 - a) Prepare and register respective easements on each title, where required.
- 6) The Owner shall enter into a Road Acquisition Agreement with the County, to be registered by Caveat on the title of Lot 5, 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 ± 0.05 ha (± 0.13 ac) road acquisition within the boundary of the proposed Lot 5 extending north-east from the cul-de-sac bulb to the northern boundary of Lot 5 as shown on the attached tentative plan;
 - b) Land is to be purchased for \$1.00 by the County.

- 7) The Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County to be registered on each of proposed lots and shall include the following:
 - a) The construction of Packaged Sewage Treatment Systems meeting the requirements of the Bureau de Normalisation de Quebec (BNQ).
 - b) Implementation of the recommendations of the Level 3 PSTS report prepared by Almor Testing Services Ltd., Job No. 099-46-22.23, dated February 2, 2023.
 - c) Implementation of the recommendations of the Stormwater Management Plan prepared by Osprey Engineering Inc., dated June 6, 2024.
- 8) Water is to be supplied by an individual well on Lot(s) 2, 3, 4, 5, & 6. The subdivision shall not be endorsed until:
 - a) An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the new well on the new Lot(s) 2, 3, 4, 5, & 6, in accordance with the County's Servicing Standards and requirements of the Water Act; and
 - b) A Well Driller's Report confirming a minimum pump rate of 1.0 IGPM for the new well is provided.
- 9) The Owner will be required to submit an Erosion and Sediment Control (ESC) Plan to outline ESC measures (i.e. silt fence, stabilization, seeding of topsoil, etc.) to be implemented during construction.
- 10) The Owner is to provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, fire fighting 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) Management and mitigation of environmentally significant features as identified in the approved Biophysical Assessment;
 - c) Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement;

Payments and Fees

- 11) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of five new Lots.
- 12) The provision of Reserve in the amount of 10% of the subject lands, is to be provided by payment of cash-in-lieu in accordance with the appraisal prepared by Benchmark Real Estate Appraisals, File no. 2204112, Dated July 3, 2024, pursuant to Section 666(3) of the Municipal Government Act.
- 13) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 prior to entering into the Development Agreement. The County shall calculate the total amount owing:
 - a) From the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey;

Taxes

- 14) 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. ADVISORY:

- 1) The Owner shall be responsible for obtaining the required approvals from AEP for the disturbance to the wetlands identified in the WAIR.

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.

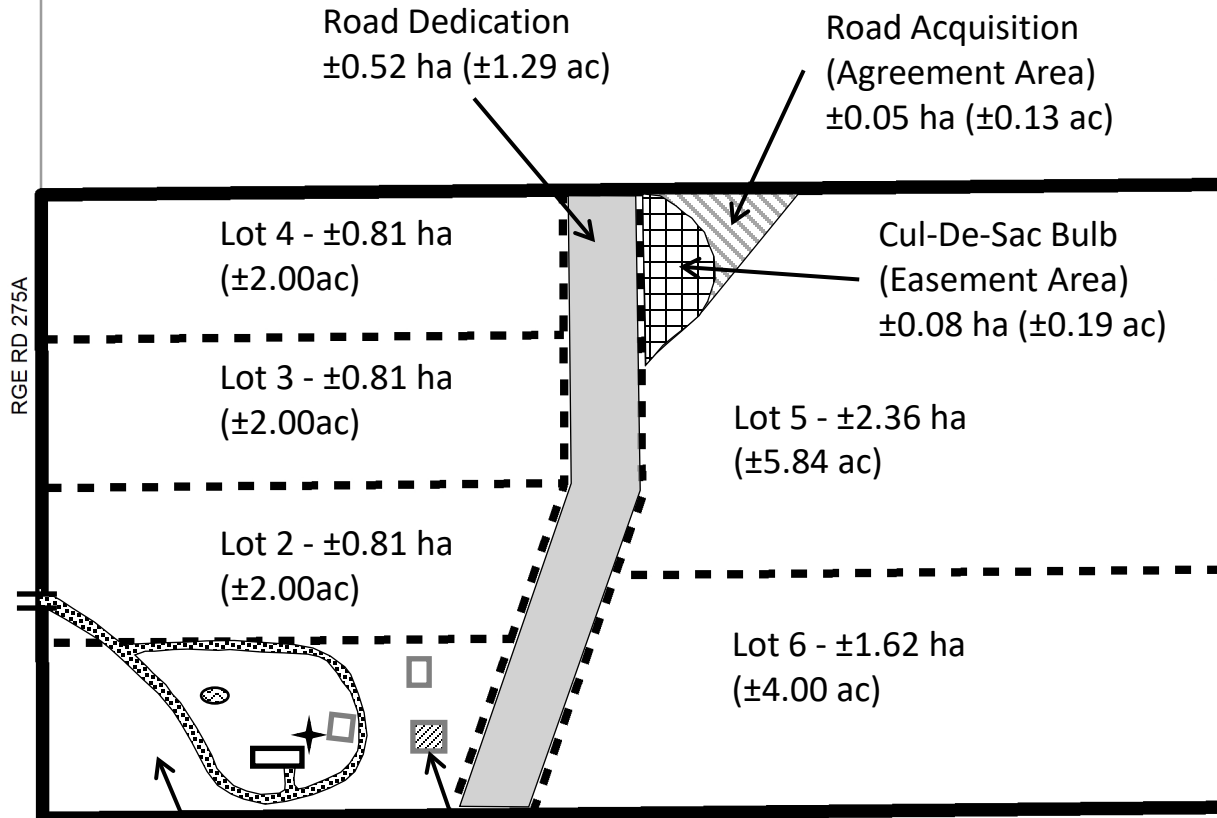


Tentative Plan
Subdivision Proposal

To create four ± 0.81 hectare (± 2.00 acre) parcels and one ± 1.62 hectare (± 4.00 acre) parcel, leaving a ± 2.37 hectare (± 5.86 acre) remainder.

Legend

Dwelling	
Building	
*Building A	
Water Well	
Wastewater	
Existing Approach	
Driveway	
Road Dedication	
Access Easement Area	
Road Acquisition Agreement Area	



Road Dedication
±0.52 ha (±1.29 ac)

Road Acquisition
(Agreement Area)
±0.05 ha (±0.13 ac)

Lot 4 - ±0.81 ha
(±2.00ac)

Cul-De-Sac Bulb
(Easement Area)
±0.08 ha (±0.19 ac)

Lot 3 - ±0.81 ha
(±2.00ac)

Lot 5 - ±2.36 ha
(±5.84 ac)

Lot 2 - ±0.81 ha
(±2.00ac)

Lot 6 - ±1.62 ha
(±4.00 ac)

RGE RD 275A

LAGANIS BAY

Lot 1 - ±0.81 ha
(±2.00ac)

Building A -
To be Removed

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: 6
Roll: 03231018
File: PL20220103
Printed: 7/19/2024
Legal: A portion of SE-31-23-27-W04M