

ATTACHMENT F: RECOMMENDED CONDITIONS OF APPROVAL

- A. THAT the application to subdivide a ± 1.72 hectare (± 4.25 acre) parcel with a ± 1.71 hectare (± 4.24 acre) remainder from Lot: 14 Block: 9 Plan: 2411003 within NE-15-26-03-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.
- 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 (PL20240093) and Roll number (06715024) of the parcel;
 - b) Landowner's Consent to Register Plan of Survey.

Transportation and Access

- 2) Access to the proposed Lot 1 and 2 is via an existing mutual approach off of Willow Way. The Owner shall:
 - a) Provide an access right of way plan; and

- b) Prepare and register respective easements for the mutual approach on each Land Title for each of the proposed two new lots.
- 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 1 and 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 2.90 acres road acquisition across the area of the existing panhandle and extending south approximately 182m in length, and 25.0m in width, centered along the proposed boundary line, to the southern boundary of the proposed Lots 1 and 2;
 - 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 proposed Lot 1 and 2, that restricts the erection of any structure on or within 15.0 metres of a future road right-of-way, as shown on the approved Tentative Plan.

Site Servicing

- 5) The Owner is to provide confirmation of the tie-in for connection to Rocky View Water Co-op. This includes providing the following information:
- a) The completion of all paperwork for potable 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;
 - c) The allocation and reservation of the necessary capacity;
 - d) The obligations of the Owner and/or utility to bring water lines to the subdivision (i.e. whether the water utility is to construct the water line to the limits of the subdivision and applicant is to construct all internal water lines, or whether the water utility will be responsible for all connections to individual lots, etc.).
- 6) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title the proposed Lot 1 and 2, indicating:
- a) Each future Lot Owner is required to connect to County piped 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.

Reserves

- 7) The provision of Municipal Reserve, in the amount of 10% of the area of Lots 1 and 2, is to be provided by payment of cash-in-lieu, in accordance with the appraisal report provided by Black Valuation Group, dated effective May 31, 2024, pursuant to Section 667(1) of the Municipal Government Act.

Payments and Levies

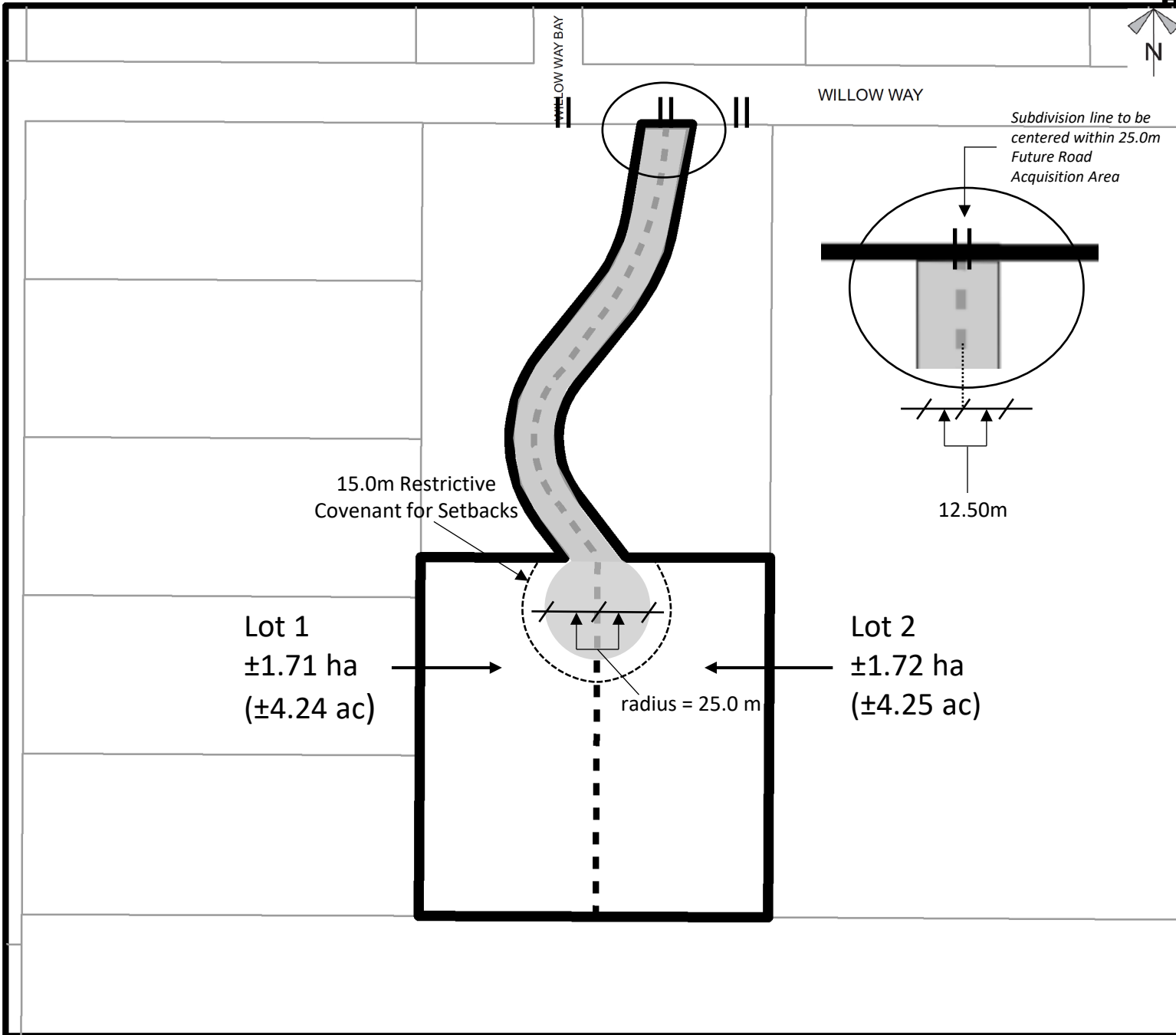
- 8) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020. The County shall calculate the total owing for the gross development area of Lots 1 and 2, as shown in the staff report and the approved Plan of Survey at time of endorsement.
- 9) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new Lot;

Taxes

- 10) 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 ± 1.72 hectare (±4.25 acre) parcel with a ± 1.71 hectare (± 4.24 acre) remainder.

Legend

Existing Approach 
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: 3
Roll: 06715024
File: PL20240093
Printed: 5/22/2024
Legal: A portion of NE-15-26-03-W05M